

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46951 of 2023

Arising Out of PS. Case No.-656 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. Binod Singh Son Of Late Narayan Singh @ Narayan Mahto Resident Of Village- Nargi Jivnath, Pis- Saraiya, Dist- Muzaffarpur
2. Guddu Singh @ Raj Kumar Singh Son Of Binod Singh Resident Of Village- Nargi Jivnath, Pis- Saraiya, Dist- Muzaffarpur
3. Pawan Kumar Singh @ Chhotu Singh @ Chhathu Singh Son Of Binod Singh Resident Of Village- Nargi Jivnath, Pis- Saraiya, Dist- Muzaffarpur
4. Niraj Kumar Singh @ Nikku @ Radhey Shyam Singh Son Of Binod Singh Resident Of Village- Nargi Jivnath, Pis- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2023 Heard learned counsels for the petitioners and the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 323, 504, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, petitioners are alleged to have prepared forged and fabricated sale deed in order to grab the land of complainant/informant.

4. It is submitted that petitioners have possession over the land in question for more than last six decades which is



recorded in survey in the name of Rajmati Devi mother of petitioner no. 1. With intention to grab the land of petitioners, a criminal case bearing Saraiya PS Case No. 430 of 2017 under Sections 341, 323, 447, 448, 354, 435, 504, 506, 337, 338/34 IPC was lodged by the informant. Both parties are on litigating term. It is further submitted that the father of informant has filed title suit bearing Title Suit No. 197 of 2022 which was dismissed at the stage of admission itself vide order dated 16.03.2023. The informant lodged this false case only with a view to create pressure and harass the petitioners. Petitioner no. 1 is 85 years old and suffering from various ailments and petitioner nos. 2 to 4 are the sons of petitioner no. 1. In fact, the dispute is essentially a dispute of civil nature.

5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, Muzaffarpur West in connection with Saraiya P.S. Case No. 656 of 2022, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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