

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48870 of 2023

Arising Out of PS. Case No.-237 Year-2023 Thana- MANER District- Patna

1. Rana Singh Son of Bhrigunath Singh Resident of Village Ratan Tola P.S-Maner District-Patna
2. Mohit Singh Son of Bhrigunath Singh Resident of Village Ratan Tola P.S-Maner District-Patna
3. Rohit Singh Son of Bhrigunath Singh Resident of Village Ratan Tola P.S-Maner District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49452 of 2023

Arising Out of PS. Case No.-237 Year-2023 Thana- MANER District- Patna

1. Bhrigunath Singh Son Of Premdhar Singh R/O-Ratan Tola, P.S.-MANER, Distt.-PATNA
2. Ajay Singh Son Of Benilal Singh R/O-Ratan Tola, P.S.-MANER, Distt.-PATNA
3. Mandhir Kumar Son Of Lal Saheb Singh R/O-Ratan Tola, P.S.-MANER, Distt.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48870 of 2023)

For the Petitioner/s : Mrs.Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 49452 of 2023)

For the Petitioner/s : Mrs.Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 11-08-2023 Learned counsel for the petitioners submits that the
petitioner no. 1 Bhrigunath Singh in Cr. Misc. No. 49452/2013



has been arrested during the pendency of the present petition and, as such, he seeks permission to withdraw the petition filed on behalf of petitioner no. 1 Bhrigunath Singh.

2. Permission is accorded.

3. Accordingly, the petition stands dismissed as withdrawn against petitioner no. 1 Bhrigunath Singh.

4. Heard learned counsel for the petitioners and learned APP for the State.

5. In this present case, the petitioners are apprehending their arrest in connection with Maner P.S. Case No. 237 of 2023, registered on 26.03.2023 for the offences under Sections 467, 420, 468, 385, 406, 341, 323, 504 and 506/34 of the Indian Penal Code.

6. As per prosecution case, the complainant/informant gifted a number of plots to her son and her daughter-in-law and allegation against petitioner Bhrigunath Singh is that he got executed a sale-deed for 5 *katha* of land from co-accused Runnu Kumari, the daughter of the complainant/informant under a conspiracy with other co-accused persons knowing very well that land was already gifted to the brother of the co-accused Runnu Kumari. Further allegation against the petitioners is that they threatened the informant.



7. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegation of getting sale-deed executed is against petitioner Bhrigunath Singh who has been arrested and his anticipatory bail has been withdrawn. The petitioners Rana Singh, Mohit Singh and Rohit Singh are all sons of Bhrigunath Singh and they have no role in the alleged occurrence and they have been made accused only due to the fact that they are sons of Bhrigunath Singh. Other co-accused, namely, Ajay Singh and Mandhir Kumar in Cr. Misc. No. 49452 of 2023 are witness to the sale-deed and they have no other role. Learned counsel further submits that it is a case of civil dispute and the petitioners have got no criminal history.

8. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioners submitting that the petitioners entered into a conspiracy and got executed the sale-deed of the property which belongs to other person.

9. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of material against the petitioners with vague allegations and further considering the civil nature of dispute, let the petitioners, namely, Rana Singh, Mohit Singh, Rohit Singh,



Ajay Singh and Mandhir Kumar, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Danapur/concerned court in connection with Maner P.S. Case No. 237 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

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(Arun Kumar Jha, J)

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