

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50526 of 2023

Arising Out of PS. Case No.-348 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

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Shailesh Singh @ Shailesh Kumar Singh, Son of Sri Vijay Singh @ Vijay Kumar Singh, Resident of Village Baluan, P.S. Ara Mufassil, District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Ritwik Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-08-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Ara (Muffasil) P.S. Case No. 348 of 2022 dated 17.10.2022 registered for the offences punishable under Sections 406, 420, 467, 468 and 471/34 of the Indian Penal Code.

4. As per the prosecution case, the then Anchal Adhikari, Praveen Kumar Pandey, ordered for mutation of the



land being Khata No. 114, Khesra No. 253 area 0.20 decimals in the name of Madhuvan Singh on the basis of forged report of the then Revenue Officer, Vijay Shankar Rai and the then Anchal Inspector, Anil Kumar Singh upon the application of the petitioner and the co-accused named in the FIR under conspiracy. It is further alleged that the said Madhuvan Singh had died about 40 years ago and seller, Indradeo Singh, had already died about 45 years ago. The said land was sold by Harendra Kumar Choudhary to Suresh Kumar

5. Learned counsel for the petitioner has submitted that the heirs of Indradeo Singh filed suit bearing Title Suit No. 301 of 2020 in which petitioner along with co-accused Vijay Singh, Akhilesh Singh and Vimlesh Singh was made party as defendant Ist set. In that Title Suit notice was issued to the petitioner and other co-accused and thereafter, petitioner and other co-accused filed their written statement. It is further submitted that the plaintiffs in Title Suit No. 301 of 2020 filed injunction petition which was rejected by the learned Sub-Judge -VIII, Bhojpur at Ara vide order dated 20.02.2021 and thereafter the said Title Suit was dismissed as withdrawn vide order dated 24.08.2022 on the prayer of the plaintiffs but due to ulterior motive, the present case has been lodged with false allegation



on 17.10.2022 implicating the name of the petitioner and others.
The petitioner has clear antecedent except Ara Mufassil P.S.
Case No. 324 of 2019, as stated in para 3 of the bail petition.
The petitioner is in custody since 24.06.2023.

6. Learned Additional Public Prosecutor for the
State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and
circumstances of the case and the dispute is of civil in nature,
the petitioner above-named, is directed to be enlarged on bail on
furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Additional Chief Judicial Magistrate-X, Patna in
connection with Ara (Muffasil) P.S. Case No. 348 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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