

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52875 of 2023

Arising Out of PS. Case No.-50 Year-2018 Thana- VIDYAPATINAGAR District- Samastipur

Arun Kumar Singh, Son of Late Chandradev Singh, Resident of Village
Bochaha, P.S. Mohiudinnagar, District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate Mr. Pramod Kumar Singh, Advocate Mr. Pravin Kumar, Advocate
For the Opposite Party/s :		Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Vidyapatnagar P.S. Case No. 50 of 2018 registered for the alleged offences under Sections 341, 323, 379, 447, 506, 420, 467, 468, 471, 120B/34 of the Indian Penal Code.

3. As per prosecution case, the informant gave a written report making allegation against the petitioner that he has prepared fraudulent documents forging signature of the late father of the informant and by using these documents, he has been trying to grab the property of the informant worth Rs. 2 crores.



4. The learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and no offence as alleged in the FIR is made out against the petitioner. The FIR is completely vague as it is not supported with any document or any other material to support the contention of the informant about fraud being committed by the petitioner or the petitioner forging any document. The petitioner has got the sale deed executed by the sister of the informant in his name for transfer of some property belonging to the ladies and the informant has filed a title suit regarding the said land which was later on withdrawn by the informant. There is bonafide title dispute between the parties and lodging of the FIR is misuse of the process of law. The learned senior counsel further submits that though the petitioner has been made accused in number of cases, but all these cases have been lodged at the instance of the informant due to the aforesaid land dispute.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation coupled with the civil nature of



dispute, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Dalsingsarai, Samastipur, in connection with Vidyapatinagar P.S. Case No. 50 of 2018, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

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

V.K.Pandey/-

(Arun Kumar Jha, J)

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