

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58418 of 2023

Arising Out of PS. Case No.-859 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Shankar Singh S/O Babua Singh R/O Village - Olapur Gangaur, P.S. Khagaria
 2. Dibyanshu Kumar Singh @ Dibyanshu Kumar S/O Shankar Singh R/O Village - Olapur Gangaur, P.S. Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shmabhu Nath Singh S/O Late Visheshwar Singh R/O Village - Olapur Gangaur, P.S. Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh Mr. Pawan Kumar Singh
For the State	:	Mr. Arvind Kumar Pandey (App.84)
For the Opposite Party	:	Mr. Amish Kumar Mr. Shankar Kumar Chaudhary Mr. Prabhakar Thakur Mr. Ranjan Prakash

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-11-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the complainant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 447, 467, 468 of the Indian Penal Code.

3. As per the prosecution case, complainant alleged that the petitioners have constructed cattle house on the complainant's land and have also filed a forged document



including panchnama in Janta Darbar with an intention to grab 06 dhur of land of the complainant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is admitted land dispute between the parties. He further submits that the complainant has filed BLDR Case No. 12/2022-23, before the learned DCLR, Khagaria, which was disposed of and against the said order the petitioners have filed BLDR Appeal No. 145/2022, before the learned Divisional Commissioner, Munger, which is still pending. Petitioner no. 1 has four criminal antecedents and petitioner no. 2 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the complainant opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is a civil dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Complaint Case No.859C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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