

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5529 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- PALIGANJ District- Patna

1. Kundan Kumar S/O Niranjan Singh R/O Village- Paipura Kala, Ps.- Paliganj, Dist. Patna, Bihar.
2. Rohit Kumar S/O Nageshwar Singh R/O Village- Paipura Kala, Ps.- Paliganj, Dist. Patna, Bihar.
3. Rahul Kumar S/O Vijendra Singh R/O Village- Paipura Kala, Ps.- Paliganj, Dist. Patna, Bihar.
4. Vikas Kumar S/O Vimlesh Singh R/O Village- Paipura Kala, Ps.- Paliganj, Dist. Patna, Bihar.
5. Niranjan Kumar S/O Suresh Singh R/O Village- Paipura Kala, Ps.- Paliganj, Dist. Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishikant Sharma
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners, after committing forgery and breach of trust, have got executed the land in their favour after preparing forged papers. It is also alleged that when the informant complained about the same, the



petitioner assaulted him and also threatened to kill him.

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 the informant executed sale deed no. 14920 in favour of petitioners no. 1 and 2 on 21.12.2022 and informant also executed sale deed no. 680 dated 25.01.2023 in favour of petitioners no. 3 and 4. The petitioner no. 5 is the identified in sale deed no. 680 dated 25.01.2023. He further submits that the nephew of the informant filed a Mutation Appeal no. 89/2022-23, against the Mutation order dated 22.02.2023 passed by Circle Officer in Mutation Case No. 4334 R27/2022-23, which was dismissed. He also submits that it is civil nature dispute between the parties. Petitioners no. 1, 3 and 4 have one criminal antecedent and petitioners no. 2 and 5 have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail. Learned counsel for the informant submits that the informant had died 10 days ago.

6. Having regard to the facts and circumstances of



the case and the fact that it is civil nature 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 Paliganj P.S. Case No.366 of 2023, 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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