

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11966 of 2024

Arising Out of PS. Case No.-856 Year-2023 Thana- SONEPUR District- Saran

1. Anil Kumar Singh @ Anil Singh son of Krishna Singh Village- Paharichak Ps- Sonpur Dist- Saran
2. Sipahi Rai son of Late Bhola Rai Village- Paharichak Ps- Sonpur Dist- Saran
3. Mukesh Kumar son of Lal Bahadur Rai Village- Damodarpur Ps- Sonpur Dist- Saran
4. Rajesh Thakur son of Chandrashekhar Thakur Village- Paharichak Ps- Sonpur Dist- Saran
5. Amod Kumar son of Sheopujan Rai Village- Paharichak Ps- Sonpur Dist- Saran
6. Amit Rai @ Amir Rai son of Dindayal Rai Village- Paharichak Ps- Sonpur Dist- Saran
7. Vinay Kumar son of Sipahi Rai Village- Manas Naya Panapur Ps- Akilpur Dist- Patna
8. Renu Devi Wife of Vicky Kumar Village- Koree Ps- Dariapur Dist- Saran
9. Phool Kumari wife of Sanjit Kumar Rai Village- Marar Ps- Parsa Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s :	Mr.Bharat Lal, APP.
	Mr. Awadhesh Kumar Singh, Adv.
	Ms. Shyama Rani, Adv.
	Ms. Priya Raj, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsels for the parties.

2. Learned counsel for the petitioners seeks permission to withdraw this application submitting that during pendency of this application petitioner no.3 has already been apprehended by the police.



3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.3.

5. Now, this application survives for rest of the petitioners.

6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 420, 427, 452, 467, 468, 471, 120B of the Indian Penal Code.

7. Allegedly, all the FIR named accused persons including the petitioners are said to have cheated the informant for the land in question by using forged documents.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and they have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Both petitioner no.1 and the informant are co-sharers and there is admitted land dispute between them. Both the parties have filed title suits. Petitioner no.2 has one criminal antecedent, whereas



rest of the petitioners have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel for the informant submits that petitioner nos. 2 & 7 have suppressed their criminal antecedent.

10. Having regard to the facts and circumstances of the case, as there is land 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 Sonpur P.S. Case No. 856 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

11. Accordingly, this application stands partly allowed.

12. However, the learned Court below is directed to verify the criminal antecedent of the petitioner nos. 2 & 7 before accepting the bail bond. If it is found that petitioner nos. 2 & 7 are involved in any other case prior to the present



case, other than the cases mentioned in para-3 of the bail application, then their bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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