

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16919 of 2024

Arising Out of PS. Case No.-565 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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1. Shyam Nandan Tiwari @ Tunni Tiwari @ Tuni S/O Ram Sakal Tiwari R/O Village - Saraiya, P.S. - Govindganj Areraj, District - East Champaran
 2. Daya Shankar Singh S/O Late Bachcha Singh R/O Village - Saraiya, P.S. - Govindganj Areraj, District - East Champaran
 3. Raju Upadhyay S/O Sri Shambhu Nath Upadhyay R/O Village - Saraiya, P.S. - Govindganj Areraj, District - East Champaran
 4. Dharmendra Kumar Singh S/O Late Virendra Singh @ Birendra Singh R/O Village - Saraiya, P.S. - Govindganj Areraj, District - East Champaran
 5. Manish Singh @ Manish Kumar Singh S/O Late Virendra Singh @ Birendra Singh R/O Village - Saraiya, P.S. - Govindganj Areraj, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mrs. Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners as well
as learned APP for the State.

2. The petitioners apprehends their arrest in connection with Govindganj (Areraj) P.S. Case No. 565 of 2023, registered for the offences punishable under Sections 406, 420, 467, 468, 470, 471, 387, 506, 120(B), 34 of the I.P.C.

3. As per allegation, a proposal was kept before the informant to sell the land in question to which, the informant



didn't become ready. It has further been alleged that the accused persons without having any right or title sold the land to other person showing vendor and vendee and similarly the accused persons preparing forged and fabricated sale deed committed cheating to the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are the person of clean antecedent and have falsely been implicated in this case. He further submits that they are not the parties to the transactions. So far as, petitioner no. 1,4 and 5 are concerned, they are neither the vendor nor vendee nor identifier nor attesting witnesses whereas, petitioner no. 3 is the identifier and petitioner no. 2 is the attesting witness of the deed.

5.Considering the above-mentioned facts and circumstances, **let the petitioners nos. 1,3,4 and 5**, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Govindganj (Areraj) P.S. Case No. 565 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.



6. So far as, **petitioner no. 2** is concerned he has three criminal antecedent amongst which one is of similar nature.

7. Considering the above-mentioned facts and circumstances of the case I am not inclined to grant bail to the **petitioner no. 2**, which is hereby rejected.

8. **Petitioner no. 2** is directed to surrender himself before the learned court below and if he files regular bail petition it shall be disposed of on the same date without being prejudiced by the subject.

(Nawneet Kumar Pandey, J)

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