

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46343 of 2024

Arising Out of PS. Case No.-108 Year-2022 Thana- BANIAPUR District- Saran

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1. PRAVEEN SINGH @ PRAVEEN KUMAR SINGH S/O LATE BALIRAM SINGH R/O VILL - KANHAULI SANGRAM, P.S. - BANIYAPUR, DIST - SARAN.
 2. AVADH BIHARI SINGH @ BIHARI SINGH S/O BABAN SINGH R/O VILL - KANHAULI SANGRAM, P.S. - BANIYAPUR, DIST - SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Pratap Singh, Adv.
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.

3. As per the FIR, the allegation against the petitioners is that they along with other co-accused persons committed cheat upon the informant and got registered the sale deed in favour of one Julekha Begum with an intention to grab the land in question.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and they have committed



no offence. Petitioner no.1 is co-sharer of the informant. No such occurrence as alleged has ever taken 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. There is admitted land dispute between the parties. It is further submitted that petitioner no.1 is a witness of the sale deed, which is said to have been executed by his mother, Dhanmunni Devi. He has not prepared any wrong or forged documents rather he along with his mother has transferred their own land in favour of one Julekha Begum. The name of petitioner no.2 has been transpired in the present case merely on the basis of the fact that at his instance, the said deed was prepared by one Mohammad Yunus. He has been made accused merely on the basis of conjectures and surmises. It is further submitted that a title suit bearing Title Suit No. 173 of 2021 is pending between the parties before the learned Court below. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is civil dispute between the parties and a title suit is also pending between them, 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 Baniyapur P.S. Case No. 108 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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