

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46912 of 2024

Arising Out of PS. Case No.-50 Year-2018 Thana- VIDYAPATINAGAR District- Samastipur

1.

Saroj Singh @ Saroj Kumar Singh Son of Late Chandradev Singh Resident of Vill- Bochcha, P.S.- Mohiuddinnagar, District- Samastipur.
2.

Mukesh Rai Son of Nandan Rai Resident of Vill- Khanua, P.S.- Vidyapatinagar, District- Samstipur.
3.

Raj Narayan Singh Son of Lata Govind Chandra Singh Resident of Vill- Kamraon, P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate Mr. Pravin Kumar, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP
For the Informant	:	Mr. Ujjawal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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12-07-2024

Heard learned counsel for the petitioners and learned A.P.P. for the State as well as learned counsel for the informant.

02. In the present case, the petitioners are apprehending their arrest in connection with Vidyapatinagar P.S. Case No. 50 of 2018 registered for the alleged offences under Sections 341, 323, 379, 447, 506, 420, 467, 468, 471, 120B/34 of the Indian Penal Code..

03. As per prosecution case, the allegation against the petitioners is that they helped the co-accused, Arun Kumar Singh, in preparing forged and fabricated documents by forging signature of the late father of the informant. With the help of



said documents, co-accused has been trying to grab the property of the informant worth Rs. 2 crores.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The only allegation against the petitioners is that they helped the co-accused, Arun Kumar Singh, in his illegal act, but there is no material apart from this allegation. Allegation against the petitioners is that they put their signatures on forged deed but the same was never brought on record. From the facts of the FIR, no offences 420, 467, 468 and 471 of the IPC are made out against the petitioners as there is no allegation against them of creating any documents or any allegation of using any forged document. There is no material showing the involvement of the petitioner. Learned counsel further submits that the actual owner of the land in question Smt. Jyotshna Mishra and Pratima Devi have already transferred the said land through sale deed Nos. 9622 and 18169 executed in favour of the co-accused, Arun Kumar Singh. This fact clearly shows that informant is not the actual owner of the land and Title Suit No. 153 of 2018 has been withdrawn by the informant. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State as well as learned counsel for the informant oppose the prayer for anticipatory bail. Learned counsel for the informant submits that title suit was



withdrawn as the co-accused, Arun Kumar Singh, lost his case before the Additional District Magistrate.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation against the petitioners and possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Dalsingsarai, Samastipur, in connection with Vidyapatnagar P.S. Case No. 50 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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