

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77510 of 2023

Arising Out of PS. Case No.-669 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

1. Mukesh Singh @ Mukesh Kumar Singh S/O Ganesh Singh R/O Village- Nagar Nigam Chauk, P.S- Town, Distt.- Begusarai.
2. Manoj Singh @ Manoj Kumar Singh S/O Ganesh Singh R/O Village- Nagar Nigam Chauk, P.S- Town, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Nagar P.S Case No. 669 of 2022 dated 05.11.2022 registered for the offence punishable u/ss 342, 343, 386, 387, 506, 504 read with 34 of the Indian Penal Code.

4. As per the prosecution case, on 29.10.2022, the petitioners and the co-accused person, Rajesh Ram, stopped the informant on the way and took him to the house of the petitioner no.1 Mukesh Singh, where the co-accused Suresh Ram was already present, thereafter, the petitioner no.1 pointed a pistol at



the temple of the informant and instructed the co-accused, Rajesh Ram to take his left thumb impression on the stamp papers. Then the petitioner no.2, Manoj Singh, took *kajroti* from his house. Thereafter, the left thumb impression of the informant was taken on four stamp papers by the co-accused Rajesh Ram and the same was given to the petitioner no.1 Mukesh Singh. It is further alleged that petitioners and the co-accused persons also threatened informant to execute the *kewala* of a piece of land, otherwise he alongwith other Kewaladaar would be implicated in a false case. It is further alleged that the petitioners and co-accused persons also abused and assaulted the informant with legs and fists. It is further alleged that the petitioners and others are not the heirs of the informant's ancestor.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the alleged occurrence took place on 29.10.2022, but the F.I.R. was lodged by the informant on 05.11.2022 i.e. after a delay of 7 days. Learned counsel has further submitted that the informant and the accused Rajesh Ram is agnate and there is a land dispute between the parties. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.



6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Nagar P.S Case No. 669 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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