

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12914 of 2025

Arising Out of PS. Case No.-405 Year-2024 Thana- MASHRAK District- Saran

Baliram Singh @ Balindar Singh Son of Late Kapil Deo Singh Resident of village-Mashrakh Gopalbari , P.S- Mashrakh , Distt.-Saran at Chapra

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Ashok Kumar Prasad S/O- late Ambika Prasad Resident of Village, PO and PS- Mashrak District- Saran

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13524 of 2025

Arising Out of PS. Case No.-405 Year-2024 Thana- MASHRAK District- Saran

Harendra Singh @ Harendar Singh S/o Late Kapil Deo Singh R/o village_Mashrakh Gopalbari , P.S_ Mashrakh, Dist _Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12914 of 2025)

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP
For the Informant : Mr. Rananjay Kumar, Advocate
Ms. Chhateshwari Kumari, Advocate

(In CRIMINAL MISCELLANEOUS No. 13524 of 2025)

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP
For the Informant : Mr. Rananjay Kumar, Advocate
Ms. Chhateshwari Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 04-08-2025 Heard Mr. Ashok Kumar, learned counsel for the

petitioners, Mr. Rananjay Kumar, learned counsel appearing on

behalf of the informant as well as Mr. Abhay Kumar, learned

Additional Public Prosecutor for the State.



2. The petitioners are apprehending their arrest in connection with Mashrakh (Masrak) P.S. Case No. 405 of 2024, F.I.R. dated 30.06.2024 for the offences punishable under Sections 341, 323, 384, 420, 467, 468, 471 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners armed with weapons unlawfully entered into the land of the informant and claimed ownership of the land and also demanded Rs. 10 lakhs as ransom and assaulted the informant.

4. Learned counsel for the petitioners submits that petitioner, namely, Harendra Singh @ Harendar Singh has clean antecedent and petitioner, namely, Baliram Singh @ Balindar Singh carries three criminal antecedents other than the present one but he is on bail in all the three cases and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that a land dispute is going on between the parties and Title Suit No. 561 of 2016 is pending between them. He further submits that the similarly situated co-accused, namely, Lalan Singh and Shaym Bahadur Singh have been



granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 22159 of 2025.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that although there was a title suit between the parties but the same was dismissed in the year 2020 for non-compliance of the peremptory order.

6. Considering the aforesaid facts and circumstances that the present case pertains to the land dispute between the parties and the similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 7th, Saran at Chapra in connection with Mashrakh (Masrak) P.S. Case No. 405 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section



482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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