

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30518 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- OBRA District- Aurangabad

1. Bijendra Singh S/O Late Ram Naresh Singh Resident Of Village -CHEECHADI, Post- Cheechadi, Ps- Obra, District- Aurangabad
2. Sambhu Singh S/O Late Bechu Singh Resident Of Village -CHEECHADI, Post- Cheechadi, Ps- Obra, District- Aurangabad
3. Manu Kumar Singh S/O Bijendra Singh Resident Of Village -CHEECHADI, Post- Cheechadi, Ps- Obra, District- Aurangabad
4. Satish Kumar Singh S/O Bijendra Singh Resident Of Village -CHEECHADI, Post- Cheechadi, Ps- Obra, District- Aurangabad
5. Nirmala Devi W/O Bijendra Singh Resident Of Village -CHEECHADI, Post- Cheechadi, Ps- Obra, District- Aurangabad
6. Shashi Kant Singh S/O Kapil Singh R/O Vill - Kudawan, P.S. - Nokha, Distt.- Rohtas, Bihar
7. Mithalesh Singh S/O Jay Kumar Singh Resident Of Village - Gaura, Ps- Ramgarh, District- Kaimur
8. Kamta Prasad S/O Late Ramdev Singh Resident Of Village - Majhiyawan, Ps- Obra, District- Aurangabad
9. Krishna Singh S/O Late Brahmdeo Singh Resident Of Village - Majhiyawan, Ps- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2025 Heard Mr. Rahul Kumar Singh, learned counsel for

the petitioners and Mr. Nand Kishore Prasad, learned APP for

the State.

2. The petitioners are apprehending their arrest in

connection with Obra P.S. Case No. 199 of 2024, F.I.R. dated



07.05.2024 registered for the offences punishable under Sections 406, 420, 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they have got executed the ancestral land of the informant by doing forgery under the conspiracy.

4. Learned counsel for the petitioners submits that the petitioner nos. 1, 2 and 5 having two criminal antecedents, petitioner nos. 3, 4, 6 and 7 having one criminal antecedent and petitioner nos. 8 and 9 having clean antecedents and they have been falsely implicated in the present case. The informant is the agnates of the petitioners and for the same set of allegation the informant/complainant had earlier filed a complaint petition bearing Complaint Case No. 289 of 2022 but the same was dismissed by the competent court of law vide order dated 05.07.2023. Thereafter, the informant has filed the present F.I.R. for the same set of allegation and the allegation as alleged in the F.I.R./complaint petition is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R./complaint petition. Petitioner no. 2 has executed the sale deed in question in favour of petitioner nos. 3 and 5 on the basis of the family partition and petitioners have not committed any offence as alleged in the F.I.R./complaint petition.



5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioner nos. 1, 2 and 5 carries two more cases other than the present one, petitioner nos. 3, 4, 6 and 7 carries one more case other than the present one in which they are on bail and petitioner nos. 8 and 9 having clean antecedent.

6. Considering the facts and circumstances of the case and the fact that for the same set of allegation the informant/complainant has already filed a complaint petition bearing No. 289 of 2022 but the same was dismissed by the competent court of law vide order dated 05.07.2023 (Annexure-P/7) and the petitioner no. 2 has executed the sale deed in favour of the petitioner nos. 3 and 5 which he has received from the family partition, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 199 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section



482(2) of BNSS, 2023 and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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