

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62237 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- AWTARNAGAR District- Saran

1. Prakash Kumar Singh @ Prakash Singh S/o- Baleshwar Prasad Singh Resident of Village- Lohia Nagar Jagarnathpuri Katihar PS- Sahayak Thana Dist- Katihar
2. Baleshwar Singh @ Baleshwar Prasad Singh S/o- Late Rajendra Prasad Singh Village- Rampur Pratappur Ps- Awatar Nagar Dist- Saran
3. Sujit Kumar Singh @ Sanjeet Kumar Singh S/o- Baleshwar Prasad Singh Village- Rampur Pratappur Ps- Awatar Nagar Dist- Saran
4. Pankaj Kumar Singh S/o- Baleshwar Prasad Singh Village- Rampur Pratappur Ps- Awatar Nagar Dist- Saran
5. Dilsh Prasad @ Dilesh Kumar S/o- Sukeshwar Prasad Village- Rampur Pratappur Ps- Awatar Nagar Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramkishor Singh
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2025 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 offence under Sections 318(4), 338, 336(3), 340(2), 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita.

3. The informant alleged that in violation of the order of Patna High Court passed In First Appeal No. 82 of 2011, three sons of Baleshwar Singh (petitioner no. 1), namely Pankaj Kumar Singh, Prakash Kumar Singh and Sujit Kumar Singh (all



petitioners herein) on the basis of forged and fabricated deed of gift dated 13.11.2020 executed two sale-deeds on 10.14.2024 in favour of co-accused Satish Prasad and Dilesh Prasad (petitioner no. 5).

4. Learned counsel for the petitioners submits that entire allegation, as set out in the F.I.R., are false and baseless. Petitioners are innocent and have committed no offence. There is no allegation in the F.I.R. that petitioners have created false documents. There is no dispute that petitioners are co-sharers of suit lands and have executed sale-deeds from their own share. In this regard, a partition suit i.e. Partition Suit No. 145 of 2018 is already pending in the court of learned Sub-Judge, Sonapur, Saran. Even, in First Appeal No. 82 of 2011, this Hon'ble Court, vide order dated 07.08.2023 in I.A. No. 07 of 2019 has already refused to entertain claim of informant till final adjudication of daughter-ship of mother of informant namely Shanti Devi D/o Hardeo Singh. Moreover, the dispute is purely of a civil nature. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their



arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of concerned Court in Saran at Chapra Civil Court where the case is pending in connection with Awtar Nagar P.S. Case No. 123 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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