

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77353 of 2024

Arising Out of PS. Case No.-311 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

1. Nilu Singh @ Nillu Singh W/o- Angad Singh R/O Village- Gachhi Tola Gandhi Nagar Ps- Town District- Begusarai
2. Angad Singh Son of Late Ramkant Singh Village- Gachhi Tola Gandhi Nagar Ps- Town Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Kumar Singh S/o- Late Rama Kant Singh Village- Kathariya Ps- Balia Dist- Balia U.P

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kalpana, Adv.
For the State	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Sabal Kumar Jha, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 15-07-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 468, 467, 471 of the Indian Penal Code.

3. The allegation in the FIR is that a piece of land measuring about 1.4 decimal along with the building has been fraudulently executed by the own brother of the informant in the name of his sister-in-law who is petitioner no.1.

4. Learned counsel for the petitioners submits that the petitioner no.2 and the informant are own brothers while petitioner no.1 is the sister-in-law of the informant. It is further



submitted that a dispute started in the family with regard to the property after the death of the father of the informant and the petitioner no.2. However, Annexure-P/2 has been pointed out on behalf of the petitioners to demonstrate the fact that by way of an affidavit, a compromise was entered into between the petitioner no.2 and the informant and an arrangement was made between them with regard to the land and the house which was duly signed by both the parties. This compromise was entered into between the parties after the present FIR was lodged. It is next submitted that the dispute is purely civil in nature and these petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State and learned counsel appearing for the informant, however, controvert the submissions made on behalf of the petitioners. Learned counsel appearing for the informant further opposes the prayer for anticipatory bail on the ground that petitioner no.2 has played fraud with the informant and a counter-affidavit has also been filed on his behalf to submit that the piece of land has been sold by petitioner no.2 using his forged signature and photograph. However, in response to the same, it is submitted on behalf of the petitioners that no such forgery has been done and other alternative civil remedies had always been and are still available to the informant



and further, since the parties have subsequently entered into a compromise, the petitioners deserve to be granted the privilege of anticipatory bail.

6. Considering the rival contentions of the parties and also the fact that there is a civil dispute between two brothers which can still be sorted out in the family and there are other civil remedies to be resorted to, let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 the learned lower Court where the case is pending/successor Court in connection with Town P.S. Case No. 311 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023 and further that they would cooperate in the investigation.

7. It is also expected that the terms of the compromise which is Annexure-P/2 to the application according to which the informant has been given a share would not be objected to by the petitioners.

(Soni Shrivastava, J)

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