

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8065 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SHYAMNANDAN SINGH Son of Late Mathura Singh R/v- Mathiya
Subhash Nagar, P.S.- Chatauni, District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAJNISH KUMAR Son of Kamleshwari Prasad Singh R/v- Badh, P.S.-
Badh, Dist- Patna, Present Address- Nutan Kunj, Raja Bazar, P.S.- Town
(Motihari), Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Shekhar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 22-02-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471 and 120(B) of the Indian Penal Code and Section 66 of
the Information Technology Act.

3. Learned counsel for the opposite party no. 2, at the
outset, submits that the son of the petitioner, who was legal
officer in the company of the opposite party no. 2, committed
forgery and thus got the land in question sold to his father which
subsequently got registered. It is further submitted that the plot
in question was earlier booked by one Shailendra Kumar Lal,



son of Birendra Kumar on 25.09.2012 at the rate of Rs.11,16,000/- thereafter Shailendra Kumar Lal by way of advance gave a token amount of Rs.10,001/- as booking amount. It is next alleged that subsequently Shailendra Kumar Lal got his booking cancelled but the son of the petitioner fraudulently without disclosing to the company committed forgery in the booking done by Shailendra Kumar Lal and in place of the name of the father of Shailendra Kumar Lal, he inserted the name of the petitioner i.e. Shailendra Kumar Lal, son of Shyamnandan Singh. It is also submitted that this forgery was committed in the year 2016 when the cost of the plot had increased from Rs.11,16,000/- to Rs.16 lakhs and odd. It is thus submitted that had this forgery not been committed by the son of the petitioner in that event the plot would have been sold for an amount of Rs.16 lakhs.

4. Learned counsel appearing on behalf of the petitioner does not dispute the said submissions made by the learned counsel for the opposite party no. 2 but then submits that it is the father of Satya Prakash Parasar who is before this Court seeking anticipatory bail. It is further submitted that being father of Satya Prakash Parasar, the petitioner was not aware that his son has committed a forgery rather was of the opinion



that since his son is working in a company as legal officer, hence, he has booked the plot in his name. It is next submitted that thereafter the plot was even mutated in the name of the petitioner. It is thus submitted that petitioner is not involved in the forgery committed by his son but then the amount which was asked by the company by way of consideration for the plot has been paid.

5. Learned counsel for the petitioner fairly admits that the forgery was committed by the son of this petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 110 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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