

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71900 of 2024

Arising Out of PS. Case No.-2011 Year-2023 Thana- COMPLAINT CASE District- Banka

1. Nandlal Yadav Son of Late Haldhar Marar Resident Of Dapharpur, PO And Ps -Barahat, Dist- Banka
2. Pramod Yadav son of Late Haldhar Marar Resident Of Dapharpur, PO And Ps -Barahat, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Digambar Yadav @ Dinesh Yadav son of Kedar Yadav Resident Of Dafarpur, Po And Ps -Barahat, Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Complaint Case No.2011 of 2023, instituted under Sections 409,420,466,467 and 468 of the Indian Penal Code.

3. The allegation against the petitioners is that they in connivance with each other manipulated in the Jamabandi register through offline by increasing the area of 109 decimals to 163 decimals by adding some more plot numbers in Jamabandi No. 136 relating to land appertaining to Thana No. 119, Mouza Dafarpur and offline mutation was also done by the accused



persons including the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that the allegation against the petitioners is that they manipulated in the Jamabandi register through offline by increasing the area of 109 decimals to 163 decimals. It is submitted that on the direction of Commission, Bhagalpur, the said mistake was rectified. It is further submitted that after correction, the petitioners again manipulated in the said Jamabandi register with the connivance of the Halka Karmchari and Circle Officer. Learned counsel submits that the complainant has also lodged complaint before the D.C.L.R. Banka. It is submitted that two other accused persons, namely, Rajesh Kumar and Chandrasekhar Singh, who are Circle Officer, and Halka Karmchari of the Barahat Circle respectively, have been granted bail by the learned Court below itself. It is submitted that from bare perusal of the complaint petition, it would appear that no criminal case is made out against these petitioners rather the dispute is of civil in nature and both the parties are agnates having share in the property in-question. Lastly, it is submitted that the petitioners have one criminal case pending against them.



5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in Complaint Case No.2011 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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