

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81043 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- CHHATAPUR District- Supaul

1. MD FIROZ S/O MD. SAHID VILLAGE- CHHATAPUR, WARD NO. 17,PS.CHHATAPUR, DIST. SUPAUL
2. MD. HANJAR S/O MD. KHALIL VILLAGE- CHHATAPUR, WARD NO. 17,PS.CHHATAPUR, DIST. SUPAUL
3. MD. MANJAR S/O MD. KHALIL VILLAGE- CHHATAPUR, WARD NO. 17,PS.CHHATAPUR, DIST. SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Patla Kumari, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 15-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Chhatapur P.S. Case No. 125 of 2023 dated 18.04.2023 registered for the offences punishable u/ss 420, 467, 468, 471 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners got sale deed No. 8598 dated 04.09.2012 was executed illegally and mutation was done by the Circle Officer on the basis of the sale deed which was not done after enquiry and verification rather the process of mutation was done only on the basis of the



applied sale deed by the deed holder. During hearing of complaint in public Grievance Redressal Officer, Tribeniganj and vide letter No. 416 of 28.12.2022, it has been reported that sale deed No. 8596 dated 04.09.2012 were not executed by the registry office, Tribeniganj. It was also reported by the record room of aforesaid office that in the year 2012, the last execution of deed number was 6630 which shows that deed No. 8598 is automatically forged. As such after verification, it was found that sale deed No. 8598 dated 04.09.2012 was illegal and signature of Registrar was also found to be forged. On which process of mutation has been done illegally.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a land dispute between the parties. Learned counsel has further submitted that the petitioners have no concern with the alleged offence. It is further submitted that it is purely civil nature of case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Supaul in connection with Chhatapur P.S. Case No. 125 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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