

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.778 of 2024

Arising Out of PS. Case No.-220 Year-2023 Thana- ALAMNAGAR District- Madhepura

Pankaj Sharma @ Shree Pankaj Kumar Sharma, aged about 53 years, Gender- Male, son of late Tarni Prasad Sharma @ late Tarni Sharma, resident of Alam Nagar, P.S. - Alamnagar, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 08-05-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Alamnagar PS Case No.220 of 2023 dated 28.07.2023, instituted under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

3. The allegation against the petitioner is that petitioner used to write the name of his father somewhere as “Tarni Sharma” and somewhere as “Kailash Sharma” and taking the aid of the same in the sale deed dated 22.05.2023, the petitioner mentioned the name of his father as “late Tarni Sharma @ Kailash Sharma” and executed the sale deed. It is further alleged that Tarni Sharma and Kailash Sharma



were the full brothers. It is further alleged that the during the course of sale of land, photograph of the petitioner was taken on the vacant land, whereas, the land which was sold by the petitioner was an orchard full of bamboo clumps and other trees and in this way the petitioner has changed the nature of the land and has caused loss of revenue to the government.

4. Learned counsel for the petitioner submits that the informant is a stranger to the sale deed dated 22.05.2023 executed by the petitioner in favour of Babloo Mandal. It is further submitted that the petitioner is the adopted son of Tarni Sharma and in this regard a Deed of Adoption was duly executed on 31.12.1986, which has been annexed as Annexure-2. The petitioner is the biological son of Kailash Sharma. Lastly, it has been submitted that the petitioner has no criminal antecedents.

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 petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Judicial Magistrate, 1st Class, Udakishunganj, Madhepura, in
Alamnagar PS Case No.220 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)

J. Alam/-

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