

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.851 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- BIKRAMGANJ District- Rohtas

Sanjay Kumar Son of Uma Datt Sah R/o vill - Kharoj Kala, P.S - Dawath
Distt. - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshmina Devi W/o Krishna Sah R/o vill and P.S. - Suryapura, Distt.-
Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the informant.

2. The petitioner apprehends arrest in connection with

Bikramganj PS Case No. 101 of 2023, dated 26-02-2023,

instituted under Sections 406,420,467,468 and 471 of the

Indian Penal Code.

3. As per First Information Report (for brevity 'FIR'),

father of petitioner executed a sale-deed in favour of informant

after taking an amount of Rs. 4,10,000/-. The mutation was also

made in favour of the informant and her name was mentioned in

the Register-II and rent receipt was also issued for the year



2022. When the informant went to get the land measured, she found that the land has already been sold to some other persons and land belongs to the State of Bihar. Thereafter, she learnt that the land in-question does not belong to Uma Dutt Sah, father of the petitioner and he committed forgery with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The nature of dispute is purely civil in nature. It is further submitted that sale deed in-question has been executed by his father, namely, Uma Dutt Sah. Father of the petitioner has sold more than his property. It is alleged that after measurement, it was found that the land has already been sold to some other persons and land also belongs to the State of Bihar. It is submitted that in these transactions, no role has been assigned to the petitioner in executing the sale deed in favour of the informant. It is submitted that petitioner is a army personnel and join the army on 15-04-2014. The petitioner has no concern in the transaction made by his father. The petitioner has no criminal antecedents, as per statement made in paragraph no. 3 of the bail petition.

5. Learned APP as well as learned counsel for the informant has vehemently 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 ACJM, Bikramganj (Rohtas), in Bikramganj PS Case No. 101 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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