

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16105 of 2025**

Arising Out of PS. Case No.-673 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

Jatashankar Prasad Son of Late Rajbali Mahto Resident of village - Shukulwa
Kala P.S. - Gopalganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate
For the State : Mr. Mukesh Kumar Singh, APP
For the Informant : Mr. Rajesh Ranjan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 05-03-2025 Heard Mr. Ranjan Kumar Srivastava, learned
counsel for the petitioner and Mr. Rajesh Ranjan, learned
counsel for the informant as well as Mr. Mukesh Kumar Singh,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
23.12.2024, in connection with Gopalganj P.S. Case No. 673 of
2024, FIR dated 18.09.2024 registered for the offence under
Sections 318(2), 316(5), 338, 336(3), 340(2) and 3(5) of the
B.N.S., 2023.

3. According to prosecution case, Letter No. 2330
dated 18.09.2024 endorsed by an executive officer of Nagar
Parishad, Gopalganj, directing the S.H.O., Gopalganj to register
the case regarding the alleged fraudulent creation of Jamabandi
concerning land at Rajendra Bus Stand, Gopalganj, measuring



01 bigha 14 katha 09 dhur under R.S. Plot Nos. 106, 162, 161, 157 and 121 within Khata Nos. 57, 65, 178 and 179. Based on this letter, an FIR was lodged against the four accused persons, including the petitioner and investigation was taken up.

4. Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and he has falsely been implicated in this case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that as per the allegation in the FIR, the petitioner has only forwarded the online application before the Circle Officer, Gopalganj on the recommendation of Revenue Karamchari and apart from that the authority concerned after knowing the aforesaid facts has recommended the cancellation of the said Zamabandi. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 23.12.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner



has clean antecedent and he has only forwarded the online application on the recommendation of the Revenue Karamchari, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 673 of 2024 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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