

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17823 of 2025

Arising Out of PS. Case No.-425 Year-2023 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Satwan Kumar Son of Vijay Kumar Rai Resident of village- Bhagat Tola, Mathurapur PS- Khagaria District -Khagaria
 2. Achchelal Mahto son of Late Sonelal Mahto Resident of village- Bhagat Tola, Mathurapur PS- Khagaria District -Khagaria
 3. Shrawan Mahto @ Shrawan Kumar Son of Late Kamali Mahto Resident of village- Bhagat Tola, Mathurapur PS- Khagaria District -Khagaria
 4. Ramvinay Yadav @ Ramvijay Yadav son of Late Brahamdeo Yadav village- Labhgaon, Babhangama, Ps- Gangour, Dist- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Premlata Devi wife of Late Ramvinay Thakur Resident of village- Bhagat Tola, Mathurapur PS- Khagaria District -Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Santosh Kumar Singh, learned

counsel for the petitioners and Mrs. Sharda Kumari, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint P.S. Case No. 425C of 2023 for the offences punishable under Sections 323, 341, 420/34 of the Indian Penal Code.

3. According to prosecution case, petitioner no. 1 in conspiracy with the other accused persons have committed



forgery with the complainant's son due to which her son has executed 5 dhur land in favour of petitioner no. 1.

4. Learned counsel for the petitioners submits that petitioner no. 4 has clean antecedent rest all carries one criminal antecedent other than the present one and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioners have not committed any offences as alleged in the complaint petition. In fact, the petitioner no. 1 has purchased the land in question from the son of the complainant and petitioner nos. 2, 3 & 4 are identifier of the said documents. He further submits that the petitioner no. 1 has purchased the aforesaid land after paying all the consideration amount to the son of the complainant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner nos. 1, 2 & 3 carries one criminal antecedent other than the present one on which they are on bail and petitioner no. 4 has clean antecedent.

6. Considering the aforesaid facts and circumstances that the petitioner no. 1 has purchased the land from the son of the complainant and petitioner nos. 2, 3 & 4 are the identifier of



the documents and petitioner no. 1 has purchased the aforesaid land after paying all the consideration amount to the son of the complainant, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Complaint P.S. Case No. 425C of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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