

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28459 of 2025

Arising Out of PS. Case No.-641 Year-2024 Thana- LAHERIYASARAI District- Darbhanga

Pankaj Kumar Paswan @ Pankaj Paswan Son of Late Shivjee Paswan @ Shivji Paswan Resident of village - Hajipur, P.S.- Ashok Paper Mill, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Jha, Adv.
For the Opposite Party/s	:	Ms Anita Kumari, APP
For the Informant	:	Mr. Arun Kumar Bhagat, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-05-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 467, 468, 471, 406, 420, 120(B) and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case apart from the case in which he is seeking anticipatory bail. It is next submitted that the informant alleges that he purchased 1 katha 15 dhur land from Bimal Kumar on 10.03.2024, after purchasing the land, the informant applied for mutation before the Circle Officer but Shila Devi objected the mutation, on inquiry, the informant



came to know that Shila Devi got forged sale deed of the aforesaid purchased land of the informant executed through Kamini Devi, in the sale deed of Shila Devi, the Jamabandi number of the land is recorded as 207, which does not pertain the said land, thus alleges that accused persons committed forgery.

4. The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name transpired during the course of investigation being son of Shila Devi. It is next submitted that if informant is aggrieved by the sale deed executed by Kamini Devi in favour of Shila Devi, with respect to the land which the informant claims to have purchased, in that event, the informant should file an application seeking cancellation of the sale deed executed in favour of Shila Devi before a Court of competent civil jurisdiction but then the informant instead of approaching a court of competent civil jurisdiction has instituted the instant criminal case. It is further submitted that whether the sale deed executed in favour of Shila Devi is genuine or not can be adjudicated by a Court of competent civil jurisdiction.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for



anticipatory bail of the petitioner. The learned counsel appearing on behalf of the informant submits that Shila Devi instituted SC/ST P.S. Case No.23/2024 dated 12.03.2024 against Vimal Kumar with an allegation that her husband was working with Vimal and Vimal had promised to sell the land to her husband but Vimal did not sell the land in favour of her husband. It is further submitted that informant has purchased the land from Vimal and Shila Devi was aware that the land does not belong to Kamini but still she got the sale deed executed through her when she was aware that the land belongs to Vimal, for which the aforesaid F.I.R. was instituted.

6. The learned counsel for the petitioner submits that petitioner being son of Shila Devi has been implicated. It is also submitted that one of the brother of the petitioner was a witness on the sale deed executed in favour of Shila Devi who is in custody but then the petitioner was not involved in the occurrence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Laheriyasarai P.S. Case No. 641/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

