

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27788 of 2025

Arising Out of PS. Case No.-874 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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SANJIV DAS S/o- Banarsi Das Village- Jalkoura Ps- Alauli Dist- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ahilya Devi W/o- Late Jagdish Prasad Singh Village- Alauli Ps- Alauli Dist- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Singh, Adv.

Mr. Rahul Singh, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-08-2025 Heard Mr. Vinod Kumar Singh, learned Counsel for the petitioner, Mr. Mritunjay Kumar, learned counsel for the complainant.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 874C/2022 for the offence registered under sections 420/34 of the IPC.

3. As per the complaint, the complainant and her husband was brought for treatment by son, Anil Kumar and daughter-in-law, Pratima Kumari and later on the pretext of correction in Aadhar Card, brought to S.D.M. Office, Khagaria and then to registry office, Khagaria where the papers were ready and on the pretext of correction in Aadhar Card, thumb impression taken, photograph taken and later came to notice that committing



forgery, the land in Mauza-Alauli has been transferred in favour of son and daughter-in-law both.

4. Learned Counsel for the petitioner submits that he is friend of the son, Anil Kumar, was requested by him to mark his presence as a witness, having no knowledge of any criminal activity, simply as a friend went there and in the presence of both the sides, put in his signature. Now, he is in the judicial net and will have to face the music, he is a Government teacher and putting him in jail will jeopardize his future.

5. Learned counsel for the complainant on the other hand, opposes the prayer for anticipatory bail submitting that he being the friend of Anil Kumar has played active role as a witness.

6. This Court has gone through the facts of the case and the submissions of the parties, the main beneficiary is the son and daughter-in-law of the complainant, though the petitioner has put in his signature as a witness, the case is there, he will have to face the music, the petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount



each to the satisfaction of the learned Judicial Magistrate-I, Khagaria in connection with Complaint Case No. 874C/2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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