

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28853 of 2025

Arising Out of PS. Case No.-1901 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Sarvesh Kumar @ Vikki Yadav S/o Animesh Kumar R/o Mohalla- Vishnu
Bihar, Bhusunda, P.S.- Muffasil, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
 2. Joyti Singh W/o Harishankar Singh @ Mantu Singh R/o Mohalla- Manpur,
Bhusunda, Near Bank of Baroda, P.S.- Muffasil, Distt.- Gaya
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priya Ranjan
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 15-10-2025 Heard learned counsel for the petitioner as well as

learned APP for the State and the learned counsel for the

complainant.

2. The petitioner apprehends his arrest in connection with

Complaint Case No. 1901 of 2022, registered for the offences

punishable under Sections 467, 468, 34 of IPC.

3. The complainant makes allegation that she purchased

the plot in question in the year 2006. The petitioner, on the basis of

forged and fabricated agreement to sale, alleged to be executed

between the complainant and the petitioner, filed a suit for specific

performance i.e. Title Suit No. 67 of 2015.

4. The learned counsel for the petitioner has submitted

that the petitioner is innocent and has falsely been implicated. The

petitioner has filed a suit for specific performance against the



complainant and the complainant has filed her written statement in that suit. The matter is sub judice before the civil court for determination of the fact whether the agreement to sale is genuine or not.

5. On the other hand, the learned APP for the State and the learned counsel for the complainant have opposed the prayer for bail.

6. The civil court is yet to decide the genuineness of deed of alleged agreement to sale. Unless it is declared by the civil court as forged and fabricated, no presumption can be drawn that it is forged and fabricated.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class-cum-Civil Judge (Junior Division XX), Gaya in connection with Complaint Case No. 1901 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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