

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31354 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- BATH District- Bhagalpur

Ajay Kumar S/o Satyanarayan Sah R/o Village- Dhangola Rahmatpur, P.S.-
Asarganj, District- Munger, PIN- 813201 Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar Verma S/o Late Krishna Mohan Prasad R/o Village-
Rahmatpur, P.S.- Asarganj, District- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate Mr. Ramadhar Shekhar, Advocate Mr. Kumar Rajdeep, Advocate M/s. Diksha Kumari, Advocate
For the State	:	Mr. Dr. Kumar Uday Pratap, APP
For the Informant	:	Mr. Subodh Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2025 Heard learned senior counsel for the petitioner,

learned counsel for the informant/opposite party No. 2 and

learned counsel for the State.

2. The petitioner is apprehending arrest in connection
with Bath P.S. Case No. 120 of 2024, dated 23.09.2024, lodged
under Section 406, 420, 467, 468, 471 and 34 of the Indian
Penal Code.

3. As per the prosecution, FIR has been lodged against
four named accused persons, including the present petitioner,
with the allegation that the seller fraudulently sold the
informant's land to four buyers by a common sale deed No.
5469, by which the vendor sold land measuring about 2.34



decimals under Khata No. 495. They obtained mutation on the basis of a fake kewala in Sultanganj Circle Office. Thereafter, the informant filed the present case.

4. Learned senior counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner is one of the four purchasers. He further submits that after purchasing the said land, mutation was obtained in his favour by virtue of the said sale deed. Counsel further submits that if the case of the informant is correct, it means that the petitioner has been wrongly implicated by the broker, namely Chandan Ram, who received 15 lakh rupees with regard to the said land and created a forged deed. Counsel further submits that the petitioner is nowhere connected to the informant and has not misled anyone. Counsel further submits that being a purchaser, the petitioner is one of the victims in this case. Counsel further submits that at worst, the petitioner, who himself is a victim in this case, shall not claim the said land in the future and shall contest the matter with the broker who created the forged deed in his favour. Counsel further submits that the criminal antecedent of the petitioner is clean and he is ready to fulfill all the conditions that may be imposed upon him.



5. Learned counsel for the informant, on the other hand, vehemently opposes the prayer for bail and submits that the other three accused persons, who are also purchasers of the said land along with the petitioner, have moved before this Court and now all of them have applied for regular bail after surrendering before the Trial Court. Counsel further submits that parity should be maintained and the petitioner should also be directed to move for regular bail, as the other accused persons are doing.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is involved in fraudulent activity against the informant.

7. Upon hearing the parties, it transpires to this Court that the petitioner has taken a specific stand that he is one of the victims and a forged deed was executed at the instance of the broker, who received 15 lakh rupees from the petitioner. The petitioner further states that he shall not claim the said land in the future and that he shall sue the broker for the return of the money he invested in the purchase.

8. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the



Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M., Bhagalpur, in connection with Bath P.S. Case No. 120 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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