

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35600 of 2025

Arising Out of PS. Case No.-559 Year-2023 Thana- BANKA District- Banka

Pantlal Mandal S/o Late Kishori Mandal R/o Village- Koltha, P.S.- Barahat,
District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakuntala Devi, W/o Late Jaldhar Singh, village Katiya Jagdispur, P.O. -
Punasiya, P.S.- Rajaun, Dist.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Najmul Hodda, Advocate
For the State	:	Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard Mr. Praveen Kumar, learned counsel for the

petitioner, Mr. Najmul Hodda, learned counsel for the O.P.

No.2/informant and Ms. Renu Kumari, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Banka P.S. Case No. 559 of 2023, F.I.R. dated
15.08.2023 for the offences punishable under Sections 147, 149,
341, 504, 420, 467, 468, 471 and 34 of the Indian Penal Code.

3. According to prosecution case, the complainant
alleges that 50.5 decimals of land originally belonging to his
father, Etwari Singh (Jamabandi No. 89), had been legally sold
in parts through registered sale deeds in 1983 and 1993 to



various individuals including the complainant's husband, her brother-in-law (Dewar), and Nira Devi. However, Karu Singh, in collusion with his grandson Bablesh Kumar Singh and others, fraudulently resold the already sold land to several new buyers in November 2022 using fake sale deeds. On 19.01.2023, these accused persons allegedly tried to encroach upon the land by constructing huts and assaulted the complainant's side. Due to errors by the revenue staff and Anchaladhikari, the mutation of Jamabandi No. 89 was not updated properly, which allowed Karu Singh to exploit the situation and resell the land illegally. Mutation applications by new buyers were later canceled.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the F.I.R. itself that the petitioner has no role at all in the present occurrence. The allegation against the co-accused person, namely, Karu Singh, is that he has sold the land in question, twice, one to the petitioner and one to another person. As per the allegation in the F.I.R./complaint petition, the petitioner is also conspirator in the present case. Learned counsel for the petitioner next submits that the petitioner is neither the seller nor the buyer and he is not the beneficiary of the land in question and he has been made



accused due to ulterior motive.

5. The learned Additional Public Prosecutor as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner along with the other accused persons have sold the land in question to another person.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent, there is no specific allegation against the petitioner in the F.I.R./complaint petition, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 559 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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