

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44934 of 2025

Arising Out of PS. Case No.-1286 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Sukal Mukhiya @ Shukul Mukhiya S/o- Late Barhmi Mukhiya Resident of
Village- Janki Nagar Laljee Mandal Tola, ward no- 12 PS- Janki Nagar, Dist-
Purnea

... .. Petitioner

Versus

1. The State of Bihar.
2. Siyaram Mallah S/o- Late Balram Mallah Village- Madhuban, W.No-2, Ps-
janki Nagar, Dist- Purnea, A/P- Burhi Ganga Khap Tola Ps- Nemua Dist-
Virat Nagar,Nepal.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Purnia Complaint Case
No. 1286 of 2023, registered for the offences punishable under
Sections 120, 420, 466, 467, 468, 469 and 471 read with Section
34 of the Indian Penal Code. However, learned trial Court has
taken cognizance under Sections 419, 467, 468 and 471 read
with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the complainant
does not live in his ancestral village due to work issues and after



the death of his father, he often visited his ancestral property. In August, 2022 the complainant became aware that the co-accused Umesh Ram prepared a forged sale deed and appeared as Umesh Mallah Son of Balram Mallah (father of informant) and sold the said land to the petitioner and other co-accused persons acted as witness and identifier on that forged sale deed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled in the complaint petition is false and fabricated and the petitioner has not committed any such offence as alleged in the complaint petition. In fact, petitioner has purchased the land in question from the *bonafide* owner of the land namely, Umesh Mallah who is the son of Late Balram Mallah after paying the consideration amount and Umesh Mallah has registered the said land in the name of petitioner. The Anchal Adhikari mutated the said land in the name of the petitioner after complete Mutation Case No. 5288 of 2022-2023 and after mutation the petitioner obtained the rent receipt from the competent authority and he has peacefully taken possession of the said land. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 12.02.2025.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea, in connection with **Purnia Complaint Case No. 1286 of 2023**, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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