

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61992 of 2025

Arising Out of PS. Case No.-28 Year-2015 Thana- VIGILANCE District- Patna

1. Sachidanand Bhagat @ Sachchida Nand Bhagat @ Sachindra Bhagat S/O Late Bhagwan Bhagat R/O Village- Ahiyapur, P.S.- Sahebganj, District- Muzaffarpur
2. Surendra Bhagat @ Surendra Prasad S/O Late Bhagwan Bhagat R/O Village- Ahiyapur, P.S.- Sahebganj, District- Muzaffarpur
3. Ravindra Bhagat S/O Late Bhagwan Bhagat R/O Village- Ahiyapur, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar through Vigilance, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Vigilance P.S. Case No. 28/2015, registered for the offence U/s 420, 467, 468, 471, 477(a), 201, 120-B of the Indian Penal Code and Section 13(2) read with Section 13(1) of the Prevention of Corruption Act.

3. The prosecution case, in brief, on the basis of written report of informant Md. Mansoor is that on 07.02.2008 in the Court that he purchased 4.5 Decimal land from Bachchi Devi on 21.09.2005, thereafter Sachidanand Bhagat @ Sachindra Bhagat (petitioner no. 1), Surendra Bhagat (petitioner



no. 2) and Ravindra Bhagat (petitioner no. 3) along with co-accused Harendra Bhagat filed a suit, vide Case No. 24/2005-06, against him and Bachchi Devi in which final order was passed on 15.02.2007 and the said case was dismissed thereafter he obtained the certified copy of order dated 15.02.2007. Later on, Sachidanand Bhagat (petitioner no. 1) told him that order was passed in their favour in that Suit and thereafter, on 03.12.2007 the DCLR, Muzaffarpur (West) executed sale-deed through Peshkar Madan Thakur in their favour. Thereafter, the informant claimed that the Court of DCLR Muzaffarpur (West) passed two contradictory orders on 15.02.2007 in one case i.e. Case No. 24/2005-06 after committing forgery under conspiracy for dispossessing him (informant) from the said land.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. As a matter of fact, in Mutation Case No. 24 of 2005-06, order was passed on 15.02.2007 by the D.C.L.R. West, Muzaffarpur and allowed the case of the petitioners and thereafter, the D.C.L.R. himself registered the land in favour of these petitioners, which itself goes to show that petitioners have committed no wrong. The land in question is still in possession of petitioners and mutation is also running in their favour and petitioners are



also paying land rent to Government of Bihar. There is nothing on record to show that petitioners have committed any forgery in any document or used any such document. Similarly situated co-accused Madan Thakur has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 25.04.2016 passed in Cr.Misc. No. 1493 of 2016. Petitioners claim clean antecedent. Chargesheet submitted.

5. By referring to different paragraphs of counter affidavit, learned counsel for the Vigilance Department vehemently opposes the prayer for anticipatory bail and submits that these petitioners along with other co-accused in conspiracy with Peshkar Madan Thakur of D.C.L.R. Muzaffarpur (west) fraudulently registered two identical cases in the D.C.L.R. court with the motive of transferring the land purchased by the complainant into their own names.

6. Considering the submissions of learned counsel for the parties and perusing the materials available on record, this Court is of the opinion that there is no allegation of tampering with the evidence, petitioners have got clean antecedent, chargesheet has already been submitted and as such, custodial interrogation is not required, the prayer for anticipatory bail of petitioners is allowed.



7. Accordingly, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance Noth Bihar, Muzaffarpur in connection with Vigilance P.S. Case No. 28/2015, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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