

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58937 of 2025

Arising Out of PS. Case No.-496 Year-2023 Thana- Kavaiya District- Lakhisarai

Malhu Yadav, Son of Horil Yadav, Resident Of Village - Kiul Basti, Gandhi
Tola, Ward No. 17, PS. - Kabiya, Dist. -Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kabaiya P.S. Case No. 496 of 2023 dated 02.07.2023 instituted
for the offence punishable under Sections 406, 420, 467, 468/34
of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
got a sale deed executed in favour of Rameshwar Mahto on the
consideration amount of Rs. 9,40,000/- and through this sale
deed, the ancestral land of the informant was sold and in that
sale deed, it was falsely written by him that his grand father,
namely, Etwari Gope got the same land from the informant's
ancestor Janki Dhanuk *vide* Deed No. 4521 dated 20.05.1929.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the said land was ancestral land of the petitioner. It is further submitted that the grand father of the petitioner, namely, Etwari Gope purchased the said land through registered deed No. 4521 dated 20.05.1929 and on that basis, the name of the petitioner's grandfather was mutated and *Jamabandi* was created in his name. On that basis, the petitioner executed the sale deed as alleged by the informant. Learned counsel for the petitioner further submits that no suit was filed for cancellation of said sale deed which is executed by the ancestor of the informant, namely, Janki Dhanuk in favour of the grandfather of the informant on 20.05.1929 through registered sale deed. Lastly, it has been submitted that the petitioner is in custody since 16.06.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Lakhisarai in
connection with Kabaiya P.S. Case No. 496 of 2023.

(Khatim Reza, J)

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