

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59425 of 2025

Arising Out of PS. Case No.-425 Year-2023 Thana- COMPLAINT CASE District- Banka

Prahlad Prasad Sah @ Prahlad Sah S/o Bodh Narayan Sah R/o Village-
Madhay, P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naresh Sah S/o Late Prasadi Sah @ Late Parmeshwar Sah R/o Village-
Madhay, P.S.- Rajoun, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-09-2025 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 406 and 420 of the Indian Penal Code.

3. As per the prosecution case, petitioner by impersonating mother of the complainant got sale deed registered and on the basis of that sale deed he got loan sanctioned in his name and due to default of that loan, said land was auctioned by the bank.

4. It is submitted on behalf of the petitioner that this petitioner is innocent and has falsely been implicated in this case. It is submitted that Prasadi Sah and Parmeshwar Sah both are not same persons, rather they are two different persons and both are sons of Ghutru Sah. Petitioner purchased the land in question from Sudama Devi wife of Parmeshwar Sah. Complainant is Sudama Devi wife of Late Prasadi Sah. During



the revisional survey of Mouja Madhai, Thana no. 478, P.S. and Anchal Rajoun, Dist- Banka, khata no. 27, plot no 190, Area 1:46 decimal opened in the name of Parmeshwar Sah and Bodh Narayan Sah, son of Ghutru Sah. From perusal of Khatiyan, it appears that there is no name of Prasadi Sah, son of Ghutru Sah in khata rio 27, plot no. 190. Khata no. 13, plot no. 20 and 66 separately opened in the name of Prasadi Sah, Sto- Ghutru Sah. Complainant wants to grab property of the petitioner, so he filed this false case against the petitioner. Title Suit No. 179 of 2021 with respect to same land is pending between complainant and petitioner prior to the institution of the present case. Dispute is purely of civil nature.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the aforesaid facts of the case, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in Complaint Case No. 425/2023, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

