

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58972 of 2025

Arising Out of PS. Case No.-136 Year-2023 Thana- CHAKIA District- East Champaran

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Ashok Sah, Son of Late Shiv Lakhan Sah, R/o Village- Fulwariya, P.S.-
Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Jee Mishra, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP
For the informant	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner seeks bail in connection with
Chakiya P.S. Case No. 136 of 2023 dated 13.04.2023 instituted
for the offence punishable under Sections 384, 387, 420, 467,
468, 471/120B of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case, in short, is that the petitioner
in connivance with other accused persons got executed two false
and fabricated sale deeds and sold 15 katha land of the
informant by showing wrong boundaries. *Vide* Sale Deed No.
1635, co-accused Suresh Sah and Bali Sah executed 7 katha and
10 dhurs land in favour of one Kunal Kumar and *vide* sale deed
no. 1636, the same vendors executed 7 katha 10 dhurs land to



co-accused Mohan Kumar, Mukesh Mahto, Gajendra Sah and Alok Kumar. It is also alleged that the petitioner has demanded fifty lakh rupees from the informant as ransom.

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 petitioner has no concern with the sale deeds. The petitioner is neither the purchaser nor the vendors of the sale deeds. It is further submitted that as per the prosecution case, Suresh Sah and Bali Sah were vendors, Kunal Kumar was purchaser, Dharmendra Kumar was identifier and Raushan Singh was witness of the first sale deed. In the second sale deed, Suresh Sah and Bali Sah were vendors and Mohan Kumar, Mukesh Mahto, Gajendra Sah and Alok Kumar were purchasers. It is further submitted that Gaja Sah @ Gajendra Sah has been granted bail *vide* order dated 20.09.2024 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 35557 of 2024. Co-accused, Mohan Kumar and Dharmendra Kumar @ Dharmendra Sah have also been granted bail *vide* order dated 09.09.2024 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No.37191 of 2024. Learned counsel submits that from perusal of the aforesaid orders of this Court, it



is apparent that the land in question was recorded in the name of ancestors of Suresh Sah and Bali Sah, who are the heirs of *Khatiyani Raiyat*. It is also submitted that Title Suit No. 810 of 2023 has been filed by the informant against the vendors and purchasers. The petitioner has no concern with the said proceedings. Only ornamental allegation has been made against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 19.05.2025 having seven criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that the petitioner is the main culprit of the said forgery. He also alleged that the petitioner demanded ransom of fifty lakh rupees from the informant.

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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Chakiya P.S. Case No. 136 of 2023, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. 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.
5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till



the framing of charge in this case. .

(Khatim Reza, J)

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