

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68565 of 2024

Arising Out of PS. Case No.-763 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

Yogendra Das S/O Late Basant Das R/o village- Rasalpur, P.S- Mufassil,
Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uma Paswan S/O Late Budhani Dusadh R/O Village- Tapsi, Post- Bhore,
Block- Manpur, P.S- Muffasil, Distt.- Gaya.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh
For the O.P. No. 2	:	Mr. Ramakant Akela, Advocate
For the State	:	Mr. Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-01-2025 Heard Ld. counsel for the petitioner, learned APP for
the State and learned counsel for the O.P. No.2.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 763 of 2023, filed for
the offences punishable under Sections 420 and 468 of the
Indian Penal Code.

3. As per allegation, the accused-petitioner has made
forgery in one of entries in the list of public pond of Anchal
Manpur for the year 2019-2020. The entry no. 16, Sanaut Tapsi,
government pond, has been shown as bearing Khata No. 284,
Khesra No. 1485, whereas true Khata No. is 204 and Khesra
No. is 1985.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that this list is prepared or maintained in the office of District Fishery Officer-cum-Chief Executive Officer. Hence, there is no question of the petitioner for making any forgery in the record of the Fishery office. If any forgery has been made, the petitioner is no way involved. In the complaint, nowhere the complainant has shown how the petitioner has made forgery. The complainant has only applied to the Fishery Department for taking action against the complainant for illegal fishing in the government pond bearing Khata No. 284 and Khesra No. 1485.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State and learned counsel for the O.P. No. 2 vehemently oppose the prayer of the petitioner for bail submitting that the accused-petitioner wants to grab the land of the complainant and as per the Fishery Department, the land bearing Khata No. 284 and Khesra No. 1485 does not belong to District Fishery Department.

8. As per the alleged facts and circumstances,



nowhere it appears that how the petitioner has made any forgery in the government document regarding list of government ponds in Manpur block of Gaya District, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya, in connection with Complaint Case No. 763 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the Court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

shoaib/-

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

