

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69213 of 2025

Arising Out of PS. Case No.-1286 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Surendra Yadav Son of Late Maheshwari Prasad Yadav Resident of Village -
Janki Nagar, Lalji Mandal Tola, P.S.- Janki Nagar, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Siyaram Mallah Son of Late Balram Mallah Resident of village - Madhuban,
Ward No.- 2, P.S.- Janki Nagar, District - Purnea. At Present Address,
Resident of village - Budhi Ganga, Khap Tola, P.S.- Nemua, District - Virat
Nagar (Nepal).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Purnia Complaint Case No. 1286 of 2023, registered for the offences punishable under Sections 120, 420, 466, 467, 468, 469 and 471 read with Section 34 of the Indian Penal Code. However, learned trial Court has taken cognizance under Sections 419, 467, 468 and 471 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the complainant does not live in his ancestral village due to work issues and after the



death of his father, he often visited his ancestral property. In August, 2022 the complainant became aware that the co-accused Umesh Ram prepared a forged sale deed and appeared as Umesh Mallah Son of Balram Mallah (father of the informant) and sold the said land to the co-accused Shukul Mukhiya and the petitioner and the co-accused person acted as witness and identifier on that forged sale deed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled in the complaint petition is false and fabricated and the petitioner has not committed any such offence as alleged in the complaint petition. In fact, the co-accused has purchased the land in question from the bonafide owner of the land namely, Umesh Mallah who is the son of Late Balram Mallah after paying the consideration amount and Umesh Mallah has registered the said land in the name of co-accused and the petitioner is only a witness in the said deed. The Anchal Adhikari mutated the said land in the name of the co-accused, Shukul Mukhiya after complete Mutation Case No. 5288 of 2022-2023 and after mutation, the purchaser obtained the rent receipt from the competent authority and he has peacefully taken possession of the said land. Similarly situated



co-accused has already been granted bail by this court *vide* order dated 13.08.2025 passed in Cr. Misc. No. 46920 of 2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 12.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Complaint Case No. 1286 of 2023, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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