

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75725 of 2025

Arising Out of PS. Case No.-91 Year-2023 Thana- BARAHAT District- Banka

Upendra Singh @ Upendra Kumar Singh @ Upendra Kr. Singh S/o Late
Sundar Singh @ Late Sundar Prasad Singh R/o Village - Tardih, P.S - Barahat,
District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
	:	Mr. Ravi Prakash Dwivedi, Advocate
	:	Mr. Raushan Kumar, Advocate
	:	Mr. Saurabh Raj, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Pratyush Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Praveen Kumar, learned counsel for the

petitioner, Dr. Ajeet Kumar, learned Additional Public

Prosecutor for the State and Mr. Pratyush Pratap Singh, learned

counsel for the Informant.

2. The petitioner is apprehending his arrest in
connection with Barahat P.S. Case No. 91 of 2023, F.I.R. dated
02.05.2023 for the offences punishable under Sections 420, 467,
468, 471, 34 of the Indian Penal Code.

3. As per the First Information Report, the informant
alleged that the petitioner along with other co-accused persons,
on the basis of forged documents, mutated the land of the
informant in the name of their mother late Mala Devi.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged is false and fabricated and the petitioner has not committed the offence as alleged in the FIR. He further submits that the informant had purchased 44.50 dismil land pertaining to Mauza Tardih, Khata No. 14, Khesra No. 254 from Sahligram Ishra @ Singh on 09.06.1996 and 37.50 dismil land pertaining to Mouza Tardih, Khata No.10, Khesra No.257 from Rajpati Singh on 20.06.1961 and thereafter the name of the informant was recorded in the official record. As per allegation in the FIR the petitioner and other co-accused persons in connivance with the officials have manipulated the records of the land in question. He further submits that the petitioner has no role at all in the present occurrence and he has not manipulated the documents in question and when the officials got knowledge about the aforesaid forgery from the competent authority, they have rectified the same.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner in connivance with other persons has committed the crime in



question.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the authorities have rectified the forgery, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-1st, Banka in connection with Barahat P.S. Case No. 91 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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