

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73971 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- MAJHAULIA District- West Champaran

Heeralal Sah @ Hiralal Sah S/O Late Rajendra Sah R/O Village- Barwa, P.S-
Majhauriya, District- West Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Bimlesh Kumar Pandey, learned
counsel for the petitioner and Mr. Anish Chandra, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Majhauriya P.S. Case No. 111 of 2025, F.I.R. dated 15.02.2025 for the offences punishable under Sections 318(4), 316(2), 336(1), 335, 336(2), 338, 308(3) and 61(2) of the BNS, 2023.

3. According to prosecution case, the informant alleged that the co-accused, Abhishek Kumar Mishra has executed a forged sale deed of the informant's land in favour of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated and the



petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner has purchased the land in question after payment of consideration amount to the co-accused, Abhishek Kumar Mishra. It appears from the F.I.R that the said Abhishek Kumar Mishra has committed fraud with his brother and the petitioner has no role at all in the present occurrence and he is the bonafide purchaser of the land in question from Abhishek Kumar Mishra and he has no concern from the family members of Abhishek Kumar Mishra.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he has purchased the land in question from the co-accused, namely, Abhishek Kumar Mishra after paying consideration amount and he has no role in the present occurrence and he is the bonafide purchaser of the land in question, 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 Chief Judicial Magistrate, Bettiah, West Champaran



in connection with Majhauriya P.S. Case No. 111 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 bonds 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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