

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87439 of 2024

Arising Out of PS. Case No.-969 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Shivnath Yadav S/O Late Parmeshwar Yadav @ Parmeshwar Yadav Resident of Village- Mahesh Dih, P.S.- Tilauthu, Dist.- Rohtas.(In Comp. Case age wrongly given as 58 years)
 2. Kaushaleya Devi W/O Shivnath Yadav Resident of Village- Mahesh Dih, P.S.- Tilauthu, Dist.- Rohtas.(In Comp. Case age wrongly given as 55 years)
 3. Manoj Yadav @ Manoj Singh Yadav S/O Shivnath Yadav Resident of Village- Mahesh Dih, P.S.- Tilauthu, Dist.- Rohtas.(In Comp. Case age wrongly given as 58 years)
 4. Umesh Yadav @ Umesh Singh S/O Shivnath Yadav Resident of Village- Mahesh Dih, P.S.- Tilauthu, Dist.- Rohtas.
 5. Kamlesh Yadav @ Kamlesh Singh S/O Shivnath Yadav Resident of Village- Mahesh Dih, P.S.- Tilauthu, Dist.- Rohtas.(In Comp. Case age wrongly given as 30 years)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishnakant Tiwari S/O Late Tribhuwan Nath Tiwari Resident of Village and Post- Tilauthu, P.S.- Tilauthu, Dist.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dinesh Singh
For the State	:	Mr.Ganesh Prasad Singh
For the informant	:	Mr. Ramashray Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 221-01-2025
1. Heard learned Counsel for the petitioners, learned Counsel for the complainant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 969 of 2023, in which cognizance has been taken under Sections 420/468/120-B of the



Indian Penal Code.

3. The prosecution case, as per the complaint filed by the Opposite Party No. 2, is that two fake sale deeds were executed in favour of petitioner no. 2 in the year 1967-68 and on the basis of judgment passed in title Suit No. 119 of 1970, jamabandi has been created in her name by the Circle Officer.
4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute between the parties. For the allegation that the petitioners executed a fake sale deed in the year 1967, a complaint has been filed in the year 2023. A title suit, bearing Title Suit No. 602 of 2015 has been lodged by the complainant and others pertaining to the subject land, which is still pending.
5. On the other hand, learned Counsel for the informant submits that the petitioners created forged judgment in the year 1970 of the Civil Court and on the basis of the judgment and the fake sale deeds, jamabandi has been created for the subject land in favour of petitioner no. 2. The enquiry was conducted and it has been found that the documents were forged by the petitioners.



6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioners is based upon documents and custodial interrogation of the petitioners may not be required and title suit is pending between the parties, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Rohtas, at Sasaram, in connection with Complaint Case No. 969 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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