

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2903 of 2025

Arising Out of PS. Case No.-102 Year-2024 Thana- LAKHAURA District- East Champaran

Pramod Paswan S/O Puran Paswan R/O Vilage- Lakhaura, Ward No. 13,
Purbari Tola Near Mahavir Ji Ka Asthan, Dhruv Lakhaura, P.S- Lakhaura,
Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-02-2025 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in
the F.I.R. and apprehended his arrest in connection
with Lakhaura P.S. Case No. 102 of 2024 registered
for the offences punishable under Sections 338,
336(3), 340(2), 318(4) and 3(5) of the BNS.

3. The allegation against the petitioner is
to cheat informant by creating forged documents.
It is alleged that the piece of land which appears
sold by the informant of this case was mentioned
fraudulently in the sale deed. It is claimed by
informant that said piece of land was given to one



Manager Sah and Nandu Prasad against cash of Rs. 5,000/- in the year 1983 and was never sold to petitioner.

4. Learned counsel appearing on behalf of the petitioner submitted that this is not a case where sale-deed was not executed, it is also not a case where consideration amount was not paid, rather executor executed sale deed himself, alleging that land which appears to be sold through documents was not actually intended to sell. It is submitted that as a matter of an afterthought the present false case was lodged saying that the land in issue was in possession of one Manager Sah and Nandu Prasad since 1983 which given to them against cash of Rs. 5,000/-. It is submitted by learned counsel that the transactions took place through registered sale deed executed on 01.12.2023, but this FIR was lodged on 22.08.2024 after nine months. It is pointed out that sale-deed before District Registry Office, Motihari was presented by informant Nageshwar Prasad himself and therefore the claim of informant that petitioner



manipulated anything in sale-deed is *prima-facie* not appearing convincing.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the transactions of land between the parties which took place through registered sale-deed, which appears to be presented in Registry Office, Motihari by informant himself, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari/concerned trial court where the case is pending in connection with Lakhaura P.S. Case No. 102 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.



(Chandra Shekhar Jha, J.)

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