

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7386 of 2026

Arising Out of PS. Case No.-526 Year-2025 Thana- SIWAN CITY District- Siwan

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1. Amit Shrivastava @ Amit Kumar Shrivastava Son of Vishwanath Prasad Resident of Village - Rafipur, P.S. - Hussainganj, District - Siwan.
 2. Shah Alam Son of Samsuddin Resident of Village - Harihas, P.S. - Hussainganj, District - Siwan.
 3. Neeraj Sharma Son of Ramesh Sahrma Resident of Village - Khanpur Khairati, P.S. - Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kumar Tushar Son of Late Braj Haran Prasad Resident of Village - Harihas, P.S. - Hussainganj, District - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 24-02-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Siwan Town P.S. Case No.526 of 2025, F.I.R dated 07.07.2025 registered for the offences punishable under Sections 318(4), 336(3), 337 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant alleges that the accused persons fraudulently executed a



registered sale deed regarding his land (Khata No. 1015, Plot No. 965) by forging his and his brother's signatures on stamp papers dated 30.05.2025. He claims that although an agreement for Rs.23,00,000 was made, Rs.12,00,000 remains unpaid. Upon obtaining certified copies of the sale deed, he discovered discrepancies in signatures and photographs, leading to allegations of forgery and conspiracy against the accused.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It has next been submitted that a sale deed dated 05.06.2025 is said to have been executed by the informant and his elder brother, after receiving full amount of Rs.16,43,000/- from one Shailesh Kumar Yadav and the petitioner Nos.1, 2 and 3 are the deed writer, identifier and witness of the sale deed in question respectively. It is the case of the petitioners that the amount which was fixed by the informant and his elder brother, has already been received and only thereafter, the sale deed was presented before the Registrar, which was ultimately registered. It has next been submitted that the petitioners are not beneficiaries of the sale deed and have clean antecedent.

5. Learned APP for the State and learned counsel for the informant / O.P. No.2 vehemently opposes the prayer for



anticipatory bail application but does not dispute the factual position which has been submitted by the learned counsel for the petitioner.

6. Considering the aforesaid facts and circumstances that a *bona fide* sale deed dated 05.06.2025 is said to have been executed by the informant and his elder brother and the petitioner Nos.1, 2 and 3 are the deed writer, identifier and witness of the sale deed respectively. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their 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 C.J.M., Siwan, in connection with Siwan Town P.S. Case No.526 of 2025, 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) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;



(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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