

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22990 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Digvijay Narayan, S/o Late Jay Narayan Sah, R/o Village-Govindpur
Bastwara, P.S.- Singwara, District- Darbhanga, presently Karamchari Hajipur
Block, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. Raj Kumari Devi, W/o Late Keshav Murti Prasad Choudhary, R/o Village-
Jethui, P.S.- Industrial Area, Dist- Vaishali

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr. Jitendra Prasad Singh, Senior Advocate Mr. Varun Krishna Singh, Advocate
For the Opposite Party/s :	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 20-01-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Industrial Area P.S. Case No.138 of 2024 registered under Sections 318(4), 338, 336(3), 340(2) and 61(2) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. The case of prosecution as per information supplied by informant Raj Kumari Devi addressing to the S.H.O. Industrial Area Hajipur, Vaishali alleging inter alia that accused persons including this petitioner mentioned in para



No.1 of the application dated 02.10.2024 illegally transferring her property bearing Khata No.69, Khesra No.279, which was the Khatiyani land recorded in the name of her husband Keshavmurti Prasad Choudhary. It is alleged that said land was transferred fraudulently and creating forged registered document by the accused persons in the name of one Ram Prasad Ray and mutation was made in his favour. It is further alleged that the accused persons by creating forged registered deed of year 1970 as a true copy of registered deed and in collusion with Anchal office, mutated in the name of vendee without any information and knowledge to the informant who is the rightful owner and title holder of the property in question.

4. The petitioner is a Revenue Karamchari.

5. It is submitted by learned counsel appearing for petitioner that merely on the basis of suspicion that the forgery was committed with collusion of the office bearer/staff of Anchal Office (Circle Office), the petitioner being “Revenue Karamchari” was implicated with present case without having any cogent material. It is submitted that thrust of allegation



being mastermind person behind entire deal is available against co-accused Dilip Kumar, who has already granted bail by learned co-ordinate Bench of this Court through Cr. Misc. No.6878 of 2025 dated 19.02.2025 considering the aspect that it is a matter of civil dispute and the informant has liberty to move the Civil Court to adjudicate her right and title.

6. Explaining criminal antecedent, it is pointed out by learned counsel that the petitioner was of clean antecedent but after institution of this case, the petitioner was named in two more criminal cases of similar nature.

7. The notice as issued by this Court personally received by O.P. No.2. Accordingly, same appears validly served upon. Despite of same, none turned up on behalf of O.P. No.2 as to join the present proceeding.

8. In view of aforesaid factual submissions and by taking note of fact as the dispute primarily civil in nature, whereas the implication against petitioner appears to be raised *prima facie* only on the basis of suspicion, being Revenue staff of Circle office, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the



court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Industrial Area P.S. Case No.138 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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