

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31689 of 2026

Arising Out of PS. Case No.-529 Year-2025 Thana- SHASTRINAGAR District- Patna

Sanjay Kumar S/o Late Krishna Deo Singh, R/o Flat No.304, Shivan Plaza,
Professor Colony, Shivpuri, P.S.- Shastrinagar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate Mr. Saroj Kumar Choudhary, Advocate
For the State	:	Mr. Parmanand Kumar, APP
For the Informant	:	Mr. Shashwat Sahil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. The petitioner seeks anticipatory bail under Section 482 BNSS, apprehending his arrest, in connection with Shastrinagar P.S. Case No. 529 of 2025, dated 29.07.2025, registered for the offences punishable under Sections 406, 420, 467, 468, 341, 323, 427, 504 and 506 of the Indian Penal Code. Similar bail application filed by the petitioner under Section 482 of the BNSS has been rejected by the Court of Sessions vide order dated 07.04.2026 passed in A.B.A. No. 697 of 2026.



3. The sum and substance of the allegation is that the property belonging to the informant has been illegally occupied by co-accused/Shakuntla Devi and her husband/petitioner claiming that the owner of the land Mukhdeo Prasad has executed gift deed in favour of Shakuntala Devi/ wife of the petitioner, whereas Mukhdeo Prasad has never executed any gift deed in favour of anybody including the co-accused/Shakuntala Devi. Hence, the gift deed which is claimed to be possessed by co-accused/Shakuntala Devi is forged and fabricated.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the gift deed in issue is genuine and not forged or fabricated. Moreover, in this regard, one civil suit has already been filed by Mukhdeo Prasad and Sundari Devi against co-accused/Shakuntala Devi, petitioner and other defendants and that is pending consideration of the competent Civil Court.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.



7. However, learned APP for the State as well as learned counsel for the informant vehemently oppose the prayer of the Petitioner for bail submitting that the gift deed claimed by Shakuntala Devi/wife of the petitioner is forged and fabricated to create basis of the claim to the title and possession of the property in question and in this regard, Mukhdeo Prasad, the real owner of the property has already filed civil suit before the competent Civil Court for declaring that the gift deed as nullity in the eye of law, because he has never executed gift deed.

8. They also submit that as per the gift deed in issue that was registered in Patna Sadar and document bears deed No. as 3908, whereas when he applied for the certified copy of this deed in circle Patna, he got a copy of mortgage deed executed by Usha Devi and Puja Rani in favour of a Finance Company. It clearly shows that the gift deed as claimed by the Petitioner and co-accused is not in existence. As such, it is a case of forgery.

9. I considered the submissions advanced by both the parties and perused the material on record.

10. Considering the fact that one civil suit is pending before competent Civil Court in regard to genuineness of the gift deed in issue between the petitioner and the informant, and the matter being basically civil in nature, **this petition is**



allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Shastrinagar P.S. Case No. 529 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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