

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35571 of 2026

Arising Out of PS. Case No.-224 Year-2025 Thana- ASHTHAWAN District- Nalanda

1. Awadhesh Ram @ Awadhesh Kumar S/o Ram Briksh Ram Resident of Village- Asthawan, P.S.- Asthawan, Distt.- Nalanda
2. Amar Ram S/o Ram Briksh Ram Resident of Village- Asthawan, P.S.- Asthawan, Distt.- Nalanda
3. Janardan Ram @ Ajay Kumar S/o Ram Briksh Ram Resident of Village- Asthawan, P.S.- Asthawan, Distt.- Nalanda
4. Munna Ram S/o Ram Briksh Ram Resident of Village- Asthawan, P.S.- Asthawan, Distt.- Nalanda
5. Chhotu Ram @ Chhotu Kumar S/o Munna Ram Resident of Village- Asthawan, P.S.- Asthawan, Distt.- Nalanda
6. Mangla Ram @ Mangal Kumar S/o Munna Ram Resident of Village- Asthawan, P.S.- Asthawan, Distt.- Nalanda

... .. Petitioners

Versus

1. The State Of Bihar
2. Syed Niyaz Ahmad S/O Syed Ansarul Haq, R/O Mohalla Syed Tola Asthwan, P.S. Asthwan, Dist Nalanda

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Deepak Kumar, Advocate
For the State	:	Mr.Uma Shankar Prasad Singh, APP
For the OP No.2	:	Mr.Sudish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-07-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Asthawan P.S. Case No. 224 of 2025 registered for the offences punishable under Sections 420, 467, 468, 471, 387, 149 & 120B of the Indian Penal Code.



3. As per FIR, petitioners alleged to withdraw the compensation amount from the government against land acquisition on the basis of forged documents of the land bearing Tauzi No. 11451, Thana No. 179 with further details as available in FIR, which claimed by the informant being his ancestral property.

4. Learned counsel appearing on behalf of the petitioners submitted that the land was purchased by grand-father of petitioner nos. 1 – 4 and great grand-father of petitioner nos. 5 & 6 namely, Dasai Ram from mother of one Bibi Sultana Khatoon through Registered sale deed No. 11078 in November 1971.

5. It is submitted that on the basis of same, when the land was acquired by the NHAI, the compensation was awarded in favour of the petitioners. It is submitted that no objection was ever raised by informant before the authority concerned being interested party. It is also submitted that for the aforesaid land, a proceeding under section 144 of the Cr.P.C. was also initiated between the parties, where no such allegation was raised against petitioners that they are claiming over the land on the basis of forged documents.

6. Arguing further, it is submitted that satisfying with



possession and document in issue, NHAI awarded compensation in favour of the petitioners. It is pointed out that moreover dispute between the parties is civil in nature for which the present criminal case is completely unoccasioned and unwarranted. Petitioners claimed clean antecedent.

7. Learned A.P.P. for the State duly assisted by learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioners, submitted that sale deed in issue i.e. sale deed No. 11078 of 1971 was in the name of one Shivrindan Lal, son of Munsir Shital Lal. It is submitted that two sale deed number of same land is not possible, and as such, it is apparent that it was created by adopting forged means by the petitioners/accused persons. It is also submitted that Khatihan of the land in issue was in the name of Bibi Fatima Khatoon, who was the grand-mother of the informant.

8. It is further submitted that as the informant was at Delhi in connection with his professional engagement, therefore, he could not come to know about the proceeding before the land acquisition authority and, as such, he could not file his objection thereof. It is submitted that subsequently objection was filed before the District Magistrate, Nalanda at Biharsharif and the same was found a serious issue, as observed



by the District Magistrate, Nalanda.

9. In view of the aforesaid factual submissions and by taking note of the fact as the dispute between the parties primarily appears civil in nature, for which a proceeding under section 144 of the Cr.P.C. is already pending and, moreover, admittedly the informant failed to file his objection before the acquisition authority before passing compensation award, accordingly, all above-named six petitioners, who are men of clean antecedent, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court in connection with Asthawan P.S. Case No. 224 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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