

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49292 of 2026

Arising Out of PS. Case No.-255 Year-2013 Thana- PALIGANJ District- Patna

Mukesh Yadav @ Mukesh Gope @ Mukesh Roushan, S/o Late Rajeshwar
Yadav @ Rajendra Yadav, R/o- Belhauri, P.S - Dulhin Bazar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Ghanshyam Tiwary, Adv.
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-07-2026 Heard the parties.

2. Petitioner apprehends his arrest in connection with Paliganj P.S. Case No. 255 of 2013 registered for the offences punishable under Sections 420, 467, 468, 471, 474, 409 and 120(B) of the Indian Penal Code.

3. The prosecution case is that during a raid conducted on 07.03.2012 in connection with Vikram P.S. Case No. 42 of 2012, the police recovered, from the house of the petitioner, certain documents, including the passbook of two Kisan Credit Card (KCC) loan accounts standing in his name. During investigation, verification from the State Bank of India, Paliganj Branch allegedly revealed that two KCC loans had been sanctioned in the petitioner's name on the basis of the same



land records. It is further alleged that verification by the Circle Office, Dulhinbazar disclosed that the relevant revenue records had been tampered with by overwriting, whereby the recorded land area was fraudulently enhanced from 0.20 acre to 2.20 acres. On the strength of the alleged forged land ownership certificate and rent receipt, the petitioner is alleged to have obtained two KCC loans. The prosecution further alleges that the petitioner, in conspiracy with the then Circle Officer, the Revenue Karamchari, other revenue officials and officials of the State Bank of India, fabricated revenue records, prepared forged documents, fraudulently obtained the loans and misappropriated the loan amount, thereby causing wrongful loss to the bank and the State.

4. The main submissions advanced by the petitioner's counsel are that the petitioner has deposited the alleged amounts of Rs. 51,720.12/- and Rs. 52,644.77/-, which are alleged to have been withdrawn by him by fabricating bank documents in connection with a KCC loan. It is further submitted that at present, the concerned bank has no grievance, as the alleged loss has been fully redressed by the petitioner and during the investigation, the FIR in the present matter was lodged by the police in collusion with certain persons due to village politics.



Although, the alleged occurrence is stated to have taken place on 29.10.2012, the FIR was lodged only on 02.09.2013, after an unexplained delay of about 11 months. It is also submitted that the petitioner had earlier approached this Court by filing a petition for anticipatory bail, however, the same was dismissed owing to his non-appearance and was not decided on merits.

5. Learned APP appearing for the State has opposed the prayer of the petitioner.

6. Heard both sides and perused the FIR. The FIR against the petitioner was registered in the year 2013 for the alleged offences of forgery and cheating, allegedly committed by him in relation to the official records of the revenue department, after the registration of the FIR, the petitioner has remained absconding for more than 10 years or avoided his appearance. Considering this aspect and nature of allegations and taking into account the petitioner's five criminal antecedents, this court is not inclined to grant him the relief of anticipatory bail. Accordingly, his prayer stands rejected.

7. However, considering the petitioner's plea that he has deposited the alleged amount with the concerned bank, as stated above, he is granted liberty to surrender before the trial court. If he avails this liberty within the next four weeks, the



learned trial court will consider and decide his prayer for regular
bail on its own merits, without being prejudiced by this order.

(Shailendra Singh, J)

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