

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64597 of 2025

Arising Out of PS. Case No.-1639 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Mithlesh Pandit Son of Late Mohan Pandit Resident Of Village- Lakhibag, Ps- Mufassil, Dist- Gaya
 2. Shashi Pratap @ Sashi Pratap son of Sri Ram Lakhan Singh @ Ram Lakhan sing Resident Of Village- Bhikhampur, Ps- Wazirganj, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Kumar Verma Son of Late Rajendra Prasad Swarnkar Resident Of Village- Manpur, Gopalganj road, Ps- Buniyadganj, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-02-2026 1. Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Complaint Case No. 1639 of 2023, disclosing
offences under Sections 467 and 34 of the Indian Penal Code.

3. As per the prosecution case, on 03.10.2023,
complainant had purchased 21 decimals of land at Village
Lakhanpur through a registered sale deed dated 17.02.2010, got
the land mutated in his name, and remained in peaceful
possession. It is alleged that on 28.03.2023, when the
complainant went to perform Bhumi Pujan for construction of a



house, the accused persons including the petitioners objected and demanded “rangdari” in the form of 8 decimals of land, and upon refusal, threatened him. It is further alleged that the accused persons subsequently prepared a false and fabricated agreement dated 13.09.2023 showing payment of Rs. 5,11,000/- at a fixed rate, without mentioning the total consideration amount, and obtained his signature fraudulently with the intention to illegally grab or sell the land.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on the basis of a concocted and mala fide complaint. He next submits that there is an unexplained delay in lodging the complaint, as the alleged occurrence is dated 28.08.2023 whereas the complaint was instituted on 03.10.2023. He further submits that, as per the complainant’s own averments, the petitioners are merely witnesses to the alleged unregistered agreement, and no specific allegation or overt act has been attributed to them.

5. Despite service of notice, no one appeared for the O.P. No. 2.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that



the petitioners are not the signatory of the agreement, they are only witnesses to the alleged unregistered agreement and the petitioners are having no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, Gaya, in connection with Complaint Case No. 1639 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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