

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69178 of 2025

Arising Out of PS. Case No.-442 Year-2024 Thana- DARAUNDA District- Siwan

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1. Parmatma Singh Late Shivnath Singh Resident Of Village Ramsapur, Ps Daraunda, Dist Siwan
 2. Chandra Mohan Singh S/O Late Harihar Singh Resident Of Village - Ramsapur, P.S- Daraunda, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 17-01-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Daraunda P.S. Case No.442 Of 2024, F.I.R dated 01.01.2024 registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 01.10.2024, the informant, Ram Darshan Prasad of village Sadhpur, District Siwan, filed a written report alleging a land dispute concerning specified plots recorded in the name of Khobhari Gond, whose heirs have been paying revenue to the Government of Bihar. The land was sold by Malti Devi, granddaughter-in-law of Khobhari



Gond, to the informant and others. After the purchase, the petitioners, Chandra Mohan Singh and Parmatma Singh, allegedly claimed title over the land by preparing forged documents. It is alleged that they tampered with document no. 3962 by altering it to 3983, which is not available in the Maharajganj registry office, and that the document purportedly relates to a sale dated 17.12.1925. Based on discrepancies, including voter list details of 1980, the informant claims the said document is forged.

4. Learned counsel for the petitioners submits that primarily from perusal of the allegations levelled against these petitioners, the remedy for adjudication of the grievance for which the instant criminal prosecution is lodged by the informant is pending before the Court of Civil jurisdiction to get such corrections made and even the title suit is also pending before the District Court vide Title Suit No.853 of 2023 for cancellation of sale deed and the *Jamabandi* has also been cancelled on 17.07.2023.

5. Learned counsel for the informant, who has appeared *suo motu* and as also the learned APP for the State does not dispute the fact that there is already a title suit pending.

6. Be that as it may, primarily, the allegations which is



referred in the F.I.R. is subject matter of title suit, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Siwan, in connection with Daraunda P.S. Case No.442 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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