IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76794 of 2026
CNR No. BRHC011095472026

Arising Out of PS. Case No.-64 Year-2025 Thana- COMPLAINT CASE - NAUGACHIA District- Bhagalpur

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1. Rambilash Paswan S/O Late Baldev Paswan At present resident- District-State Library Purnea, P.S.- Hat, Purnea, Bihar. Permanent Resident Village-Jamalpur, Nagrah, P.S.- Naugachia, Dist.- Bhagalpur, Bihar.
2. Dhananjay Paswan S/O Late Baldev Paswan R/O Villag- Jamalpur, Nagrah, P.S.- Naugachia, Dist.- Bhagalpur, Bihar.
3. Devanand Paswan @ Devilal Paswan S/O Late Baldev Paswan R/O Villag-Jamalpur, Nagrah, P.S.- Naugachia, Dist.- Bhagalpur, Bihar.
4. Kunal Paswan S/O Late Baldev Paswan R/O Villag- Jamalpur, Nagrah, P.S.-Naugachia, Dist.- Bhagalpur, Bihar.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Jay Narayan Paswan (Retired Teacher) S/o Late Shyamdev Paswan R/O Villag- Nagrah, P.S.- Naugachia, Dist.- Bhagalpur, Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 04-11-2026 Counsel for the petitioners prays for and is allowed to make necessary correct in the address of the O.P. No.2 in course of the day.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners are apprehending their arrest in connection with C.A. Case No. 64 of 2025 registered for the offence punishable under Sections 115(2), 319(2), 318(4), 115(2) of the Bhartiya Nyaya Sanhita, 2023.

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4. The prosecution case, in short, is that the petitioners have made forged sale deed in the name of their father namely Late Baldev Paswan which was sold by his mother namely Sugga Devi.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is next submitted that for a dispute which is said to have taken place on 19.01.2025, the instant complaint case no. 64 of 2025 is said to have been registered on 04.03.2025 and there is no explanation for such delay. Counsel for the petitioner by referring to the statement made in Para-12 of the petition submits that the petitioners have no concern with the land appertaining to Khata No. 933, Khesra No. 2217 measuring an area 57 decimal which forms part of the complaint case in which the petitioners have been implicated as accused, in which cognizance has been taken and specific affidavit to this effect has been appended with the instant petition as Annexure-P/3, which is said to have been filed before the court of learned Additional District Judge, 1st, Bhagalpur saying that the petitioners have no concern with the alleged land. Counsel for the petitioner further submits that the nature of dispute raised in the instant case appears to be purely of a civil nature and the

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Complainant has all remedies before him to seek cancellation of sale deed, which is said to have been executed in favour of the father of the petitioners, while petitioners are not going to draw any benefit out of the said sale deed even if the said sale deed is accepted to be true in view of the affidavit filed before the court concerned on 29.09.2026. Lastly, it is submitted that the petitioners are persons of clean antecedent.

6. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

7. Having heard learned counsel for the parties and considering the nature of the dispute raised, which is civil in nature and for which appropriate remedies are available before the court of civil jurisdiction and further taking into consideration the categorical statement made by the petitioners in paragraph 12 of the instant petition that they have no concern with the land in question, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Civil Court, Naugachiya, Bhagalpur in connection with C.A. Case

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No. 64 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit 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 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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