

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80088 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- Mufassil District- Khagaria

Shravan Rai Son of Late Ram Lagan Rai Resident of Village - Sansarpur,
Police Station - Mufassil, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-05-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 318(4),
338, 336(3), 340(2), 116(6), 7 and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and the informant alleges
that he has 4 Bigha, 5 Katha, 18 Dhur, 10 Dhurki ancestral land,
out of which 2 Bigha land was sold in the year 2006 and the rest
left over land is in possession of the informant but on
02.04.2025 petitioner along with Jitendra and Hira came on the
land and started constructing a boundary wall without
measurement, on objection, the accused persons showed a
forged document of the year 1903 laying claim on the land, on



complaint by the informant to the District Magistrate, the District Magistrate constituted Three Men Committee and the Committee, after inquiry, submitted a report holding that the document of the petitioner is forged for which Khagaria Mufassil P.S. Case No. 74 of 2025 was instituted against the petitioner and others, thus, alleges that accused persons, based on forged document, are trying to grab the land of the informant.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that petitioner, based on a document of 1903, is laying claim on a piece of land which the informant claims to be his ancestral land and when the informant made a complaint about the same to the District Magistrate, Three Men Committee was constituted and the Committee came to a conclusion that the document on which the petitioner is relying is a forged document. It is next submitted that whether Administrative Authority can decide about the genuineness of a document or it is the duty of a Court of competent civil jurisdiction to adjudicate such issue. It is also submitted that for the same offence, Khagaria Mufassil P.S. Case No. 74 of 2025 has been



instituted and the informant thereafter instituted the instant case alleging that petitioner, based on forged document, is trying to grab his land. It is lastly submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the Administrative Authority cannot adjudicate an issue with regard to the genuineness of a document and the same is to be adjudicated by a Court of competent civil jurisdiction and for the same offence Khagaria Mufassil P.S. Case No. 74 of 2025 has been instituted.

6. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail



on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Khagaria Mufassil P.S. Case No. 84 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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