IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79250 of 2026

CNR No. BRHC011162432026

Arising Out of PS. Case No.-137 Year-2026 Thana- LAUKARIA District- West Champaran

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Vivekanand Shrivastav @ Vivekanand S/O Late Sachidanand Shrivastav Resident of Vill- Kalibagh, P.S.-Kalibagh, Dist- West Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 23-11-2026 Heard learned counsel for the petitioner, learned APP for the State and learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 318(2), 336(3), 338, 340(2), 61(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, co-accused Mrityunjay Vikram Sah in association with other accused persons including petitioner, executed a forged sale deed of the land belonging to the informant's grandmother and sisters.

4. Learned counsel for the petitioner submits that the petitioner is a mere deed writer and he is not beneficiary of the alleged offence. It has been submitted that he is neither the

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vendor nor the purchaser and identifier of the sale deed in question. As a matter of fact, co-accused Mrityunjay Vikram Sah, who is an agnate of the informant had executed a sale deed on 04.06.2026 as the owner of the concerned plot of land. The petitioner being the deed writer had no reason to doubt such claim. Moreover, the case involves civil dispute between the parties for which alternative remedies could also be taken. The petitioner is in custody since 09.09.2026 and charges have already been framed in this case on 21.11.2026. The petitioner undertakes to co-operate in the trial by appearing on each and every date fixed in the case.

5. Learned counsel appearing for the informant, however, vehemently opposes the grant of bail to the petitioner on the ground that the petitioner has a role in collusion with other co-accused persons of the registry office in changing the khesra No. from 305 to 303, as such, having committed an offence of forgery, therefore, he does not deserve the privilege of bail. He further submits that the petitioner has one criminal antecedent. However, in response, it has been submitted that it is an old case of the year 2013 in which he has already been granted bail.

6. Taking into consideration the facts and

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circumstances of the case and also considering the fact that the petitioner is a deed writer of the sale deed and coupled with the fact that charges have already been framed, let the above named petitioner, who is an old man aged about 65 years, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Bagaha, West Champaran / Successor Court, in connection with Laukariya P.S. Case No. 137 of 2026, subject to following conditions:-

(i) One of the bailors shall be a family member/close relative.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iii)The petitioner shall be released upon verification of his criminal antecedent which shall be done definitely within two weeks.

(Soni Shrivastava, J)

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