

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31791 of 2025

Arising Out of PS. Case No.-1094 Year-2024 Thana- BIHTA District- Patna

Manjesh Kumar @ Anchaladhikari Manjesh Kumar S/o Ajay Kumar Azad
R/o House No.22 Road No.1, Near Tilak Nagar Rukanpura, Ps- Rukanpura,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23228 of 2025

Arising Out of PS. Case No.-1094 Year-2024 Thana- BIHTA District- Patna

Lekhadhari Singh Son of Late Rasmani Singh R/o Village and P.O.- Khajuri,
P.S.- Naubatpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31791 of 2025)

For the Petitioner/s : Mr. Ajay Thakur, Adv
: Mr. Gyan Abhinav, Adv
: Mr. Atul Anand, Adv
: Mr. Krishna Priya, Adv

For the Opposite Party/s : Mr. Shantanu Kumar, APP

For the Informant : Mr. Anshul, Sr.Adv

(In CRIMINAL MISCELLANEOUS No. 23228 of 2025)

For the Petitioner/s : Mr. Sujeet Kumar Gupta, Adv
: Mr. Naresh Chandra Verma, Adv
: Mr. Ravi Kumar Singh, Adv

For the Opposite Party/s : Mr. Anil Kr. Singh No. 1, APP

For the Informant : Mr. Anshul, Sr.Adv

: Mr. Krishna Priya, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

12 12-01-2026

CRIMINAL MISCELLANEOUS No.31791 of

2025

Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Bihta P.S. Case No. 1094 of 2024 registered for the offences punishable under Sections 316(2), 318(2), 316(5), 338, 336(3), 340(2) and 3(5)



of the BNS.

3. As per FIR, informant and his agnates have land property in Khedarpura, Bihta, Patna and they are in possession of this property for last 100 years. In June 2023, Tribhuvan Rai, Biteswar Rai, Sudeshwar Rai, Aditya Rai, Lekhadhari Singh- Revenue Clerk and this petitioner-Circle Officer committed forgery in *jamabandi* register and made entries of informant's land in the name of Mahendra Gope through *jamabandi* no. 53. Rushu Singh a retired employee posted at Bihta Anchal on contact Ranjit Rai, who is a resident of Lekhadhari Singh's village and Fittan Rai of Khedarpura Village are also involved in the alleged occurrence. It is also alleged that on the direction of Hon'ble High Court co-accused Lekhadhari Singh was dismissed from the service and Form-A was issued against this petitioner-Circle Officer. Further allegation is that accused persons Tribhuvan Rai and his sons along with Fittan Rai have ousted the laborers from the field of the informant, on the basis of aforesaid FIR in issue was lodged.

4. Mr. Ajay Thakur, learned counsel appearing on behalf of the petitioner submitted that aforesaid modifications of entries was done in the year 1995 and at that time Manjesh Kumar-Circle Officer was not posted there, as he joined the office in year 2023, only. It is submitted that being head of the Revenue



Office he was implicated with the present case and moreover he is not appearing beneficiary. It is pointed out that it is a maximum case of dereliction of duty for which not even departmental proceeding was initiated against this petitioner till date suggesting prima-facie that even allegation of dereliction of duty not appears convincing against him.

5. Arguing further, it is submitted that there is a civil dispute between the informant and Tribhuvan Rai for which the informant filed present FIR to create a pressure on petitioner being Circle Officer, Bihta without prior sanction of State Government or any steps taken for cancellation of *jamabandi* no. 53. It is also submitted that informant has not made even any complaint before public grievance redressal forum which is appropriate forum to make complaint against any Government employee. While concluding the argument, it is submitted that in view of aforesaid save and except suspicion being head of the office nothing survives against this petitioner, who is a man of clean antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

7. Mr. Anshul, learned sr. counsel while arguing for O.P. No. 2/informant submitted that being head of the office petitioner cannot escape from his liability. It is submitted that in



connivance with purchaser and other co-accused persons present forgery took place, which was otherwise not possible without involvement of this petitioner.

8. In view of the aforesaid factual submission and by taking note of the fact as primarily implication of this petitioner appears being head of the office, where prima-facie except suspicion nothing appears against him and admittedly he is not the beneficiary of the transaction, accordingly petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, 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 ACJM-2nd, Danapur/concerned trial court where the case is pending in connection with Bihta P.S. Case No. 1094 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

CRIMINAL MISCELLANEOUS No. 23228 of 2025

Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Bihta P.S. Case No. 1094 of 2024 registered for the offences punishable under Sections 316(2), 318(2), 316(5), 338, 336(3), 340(2) and 3(5)



of the BNS.

3. As per FIR, informant and his agnates have land property in Khedarpura, Bihta, Patna and they are in possession of this property for last 100 years. In June 2023, Tribhuvan Rai, Biteshwar Rai, Sudeshwar Rai, Aditya Rai, this petitioner-Revenue Clerk and Manjesh Kumar-Circle Officer committed forgery in *jamabandi* register and made entries of informant's land in the name of Mahendra Gope through *jamabandi* no. 53. Rushu Singh a retired employee posted at Bihta Anchal on contact Ranjit Rai, who is a resident of this petitioners's village and Fittan Rai of Khedarpura Village are also involved in the alleged occurrence. It is also alleged that on the direction of Hon'ble High Court co-accused this petitioner was dismissed from the service and Form-A was issued against Manjesh Kumar-Circle Officer. Further allegation is that accused persons Tribhuvan Rai and his sons along with Fittan Rai have ousted the laborers from the field of the informant, on the basis of aforesaid FIR in issue was lodged.

4. Learned counsel appearing on behalf of the petitioner submitted that alleged forgery took place in the year 1995, whereas this petitioner joined alleged revenue office on 30.06.2021. It is submitted that his dismissal was quashed by the Hon'ble Court through C.W.J.C. No. 18529 of 2024 dated



05.12.2024 and petitioner in terms of this court direction filed his representation before DM, Patna. It is submitted that being Revenue Clerk he was implicated with the present case and moreover also not appears beneficiary. It is pointed out that it is a maximum case of dereliction of duty prima-facie for which not even departmental proceeding was initiated against this petitioner suggesting prima-facie that even allegation of dereliction of duty not appears convincing against him.

5. Arguing further, it is submitted that there is a civil dispute between the informant and Tribhuvan Rai for which the informant filed present FIR to create a pressure on petitioner being Revenue Clerk without prior sanction of State Government , or any steps taken cancellation of *jamabandi* no. 53. It is also submitted that informant has not made even any complaint before public grievance redressal forum which is appropriate forum to make complaint against any Government employee. While concluding the argument, it is submitted that in view of aforesaid save and except suspicion being office staff nothing survives against this petitioner, who is a man of clean antecedent.

6. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

7. Mr. Anshul, learned sr. counsel while arguing for



O.P. No. 2/informant submitted that being Revenue Clerk petitioner cannot escape from his liability. It is submitted that in connivance with purchaser and other co-accused persons present forgery took place, which was otherwise not possible to take shape without involvement of this petitioner.

8. In view of the factual submission and by taking note of the fact as primarily implication of this petitioner appears being Revenue Clerk of the office, where except suspicion nothing appears against him and admittedly he is not the beneficiary of the transaction, accordingly petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, 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 ACJM-II, Danapur/concerned trial court where the case is pending in connection with Bihta P.S. Case No. 1094 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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