

In the Court of Additional Sessions Judge-II, Giridih

B. P. No. 335 /2026
CNR-JHGR-0100-3356-2026

1. Kalim Khan

2. Gujjar Mirza

Both sons of late Ali Bakash Mirza, r/o- Kharagdiha, P.S.- Jamua, District- Giridih

3. Md. Sairaj Khan @ Md. Siraj Khan s/o late Mustakim Khan, r/o-village- Nawdiha, P.S.- Jamua, District- Giridih

.....Petitioners

-Versus-

State of Jharkhand

.....Opposite Party.

23.06.2026 The present bail petition has been filed on behalf the petitioners named above, who are in custody since 20.05.2026, in connection with Jamua P.S. Case No. 34/2025 u/s 318(4)/ 338/ 336(3)/ 340(2)/ 61(2) of B.N.S, pending before the Court of Ms. Sushila Hansda, learned J.M.F.C, Giridih. Copy of bail petition has duly been served to the Ld. P.P. I/c.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have not committed any offence as alleged in the F.I.R. It has been further submitted that earlier an application for anticipatory bail vide A.B.P. No. 1970/2025 has been filed on behalf of the petitioners which was rejected on 04.12.2025 by the predecessor of this learned court. Thereafter, no petition for bail has been moved before this learned court or before the Hon'ble Jharkhand High Court at Ranchi. It has ben further submitted that from bare perusal of F.I.R, it is a matter of civil dispute and only within jurisdiction of competent Civil Court to decide whether said documents are forged or not and not by Criminal Court. The petitioners are legal heirs of Dhalo Mirza. It has been further submitted that the Original Suit No. 253 of 2024, has been filed against the informant before Ld. Munsif Court as well as Criminal Case No. 641/2024 filed against the informant by one of co-accused which is subjudice before learned court. It has been further submitted that other co-accused namely Deepak Kumar has been granted regular bail by this learned court vide B.P. No. 780/2025 dated 07.01.2026. The other co-accused persons namely Bishu Mirza has been enlarged on bail by the Hon'ble Jharkhand High Court vide B.A. No. 408 of 2026 dated 25.02.2026. Moreover, petitioner is in custody since 20.05.2026. Learned counsel further submits that

the petitioners are local persons and they are ready to furnish suitable bailors and hence prayed to enlarge the petitioners on bail.

On the other hand, learned P. P. I/c, counsel for the State assisted by the learned counsel for the informant have vehemently opposed the prayer of bail of the petitioners on the ground that the petitioners with the connivance with the other co-accused persons for subsequent sale of the part of the plot. They have also drawn attention on the order of the C.O, Jamua, Giridih which shows the said connivance of the petitioners with the other co-accused for the subsequent transaction, and there is direct involvement of the petitioners as a result of the same the bail petition of the petitioners may be rejected.

The case of the prosecution in brief is that by Regd. deed no. 9310 dated 19.10.1957, the informant had purchased a piece of land corresponding to Khata No. 68, Plot No. 167, area 46 decimal, Jamua, District-Giridih and is in possession of the same since 19.10.1957, after constructing boundary wall and house on the said plot. He is also paying rent for the said land and obtaining rent receipt. Complainant further stated that he got information that some land mafia by conniving with each other by preparing forged paper got executed a registered deed by Md Bisu, Md Siraj, Munni Khatun and Most Saibunm in favour of Girdhar Gopal Sao vide deed no. 3612 dated 06.09.2024. The informant has alleged that in the above conspiracy apart from the above persons, Ashwini Kumar Sahu, Rohit Kumar Sao, Praveen Kumar Singh, Kunal Kumar, Aman Kumar Sao, Manoj Kumar Lohani, Deepak Kumar, Ranjeet Kumar Sao and Sunil Kumar Verma are involved who have prepared the forged document by manipulating the original documents. Informant has further stated that the deal for the above mentioned land was finalized with Aman Kumar Sahu, Deepak Kumar on 27.02.2023 for Rs. 1,45,80,000/-, in which a total of Rs.14,00,000/- was given as advance. The agreement was valid for a period of 12 months i.e. till 26.02.2024. When those person were asked to get the deed registered by paying the money the above mentioned three people by hatching up a conspiracy with the other mentioned person had sold his land by preparing wrong papers and caused him mental harassment. It has been further stated that the petitioners namely Kalim Khan and Gujjar Mirza both sold 11.50 decimals of land out of 46 decimals with connivance to other persons. Hence the present case.

Heard learned counsel of the petitioners, learned P. P. I/c, counsel for the State assisted by the learned counsel for the informant, perused the case diary and material available on record, it appears that there is allegation against the petitioners and others that with regard to manipulating public document and preparing forged documents. At paragraph no. 33, as per the report of the C. O., presently the majority of the land i. e. 34 decimals in the said khata is registered in the name of Anand Kumar Sahu s/o Kameshwar Sahu. The informant and other witnesses of the case diary have supported the story of the prosecution. As far as the parity of regular bail to other co-accused persons are concerned, the other accused persons have been granted regular bail after the charge-sheet has been filed. The allegation against the petitioners are serious in nature and investigation is pending.

Considering the aforesaid facts and circumstances of the case and nature and gravity of the offence, I am not inclined to enlarge the petitioners on bail. As such the prayer for regular bail of the petitioners, namely **1. Kalim Khan, 2. Gujjar Mirza and 3. Md. Sairaj Khan @ Md. Siraj Khan**, is hereby **rejected**. B.P. No. 335/2026 is disposed of accordingly.

(Dictated)

--Sd. V. Kumar--

(Vishal Kumar)

JO Code JH01157

Addl. Sessions Judge-II,

Giridih.

23.06.2026