

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.2677 of 2025

1. Lal Vijay Nath Sahdeo, aged about 58 years
 2. Uday Nath Sahdeo, aged about 51 years
 3. Dharendra Nath Sahdeo, aged about 48 years.
- All sons of Late Babu Vishwanath Sahdeo, resident of Dhumsa Toli, Ganpat Nagar, P.O. GPO, P.S. Lower Bazar, District-Ranchi.

... .. **Petitioners**

Versus

The State of Jharkhand.

... .. **Opposite Party**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Kaushik Sarkhel, Advocate
For the State : Mr. Pankaj Kumar, PP
For the Complainant : Mr. Rajesh Prasad, Advocate

06/ 09.07.2025

I.A. No.6309 of 2025

This interlocutory application has been preferred on behalf of the complainant alleging that the petitioners with intent to grab the land of the applicant has forged the record of District Sub Registrar. Therefore, the District Sub-Registrar filed a written complaint before the concerned police station and present case being Kotwali P.S. Case No.01/2025 was lodged.

2. Therefore, the applicant seeks leave of this Hon'ble Court that before passing any order in the instant Anticipatory Bail his *Vakalatnama* be accepted.
3. Prayer is allowed.
4. This Interlocutory Application is disposed of.

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5. Heard the parties.
6. This anticipatory bail application under Sections 482 & 484 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, have been preferred by the petitioners apprehending their arrest for offences under Sections 337 and 318(4) of the B.N.S., 2023.
7. This F.I.R, is based on the complaint of Sub-Registrar. It is alleged that in the records, the Mauza-Hinoo has been incorporated by interpolation showing it to be the ancestral

property of Thakur Mahendra Nath Sahdeo. Since this an interpolation of the government records by incorporating the aforesaid mauza, this instant F.I.R. has been lodged.

8. Learned counsel for the petitioner submits that the petitioner has got no hands in the aforesaid interpolation. He submits that admittedly in the government records, the land of other village is shown to be the ancestral property but the allegation is that the Hinoo was later on interpolated and included in the list is absolutely incorrect. He submits that Hinoo was also the Jamadari property of the forefathers of these petitioners is subject matter of the partition suit and only to deprive the genuine claim of partition in respect of the Hinoo Mauza, the informant has lodged a false against these petitioners.

9. Learned counsel appearing on behalf of the informant submitted that the Hinoo Mauza was not included in the jamadari of the ancestor namely, Thakur Mahendra Nath Sahdeo, rather this Hinoo Mauza was acquired by Thakur Mahendra Nath Sahdeo by virtue of a separate sale-deed and not by the deed which included the other 7 Mauza. He submits that the same Hinno Mauza cannot come within the purview of the partition suit, as it is self-acquired property.

10. He further submits that not only the Hinoo Mauza there is interpolation in respect of Mauza Kokar also for which the informant has filed a separate case which was registered as Sadar P.S. Case No.65/2025. He also submits that in respect of some of the tribal lands also, there is an interpolation in the records in District, Khunti.

11. After hearing the parties, I find that it is an admitted case that the partition suit is pending. The partition suit is numbered as Partition Suit No.223 of 2010. The petitioners claims that these mauzas i.e., Hinoo and Kokar are the ancestral property which needs to be partitioned, which is objected by the informant, on the ground that by interpolating records, these two mauzas have been incorporated in the deeds and in the Registry volumes to gain undue benefits in partition suit.

12. Since, the partition suit is already pending between the

parties, it is the Civil Court who has to ultimately come to a conclusion as to whether these two mauzas are ancestral properties or not and whether the same needs to be partitioned or not and whether there is actual interpolation or not.

13. Further, this not a case of custodial investigation and also the petitioners as apparent from the case diary have complied with the notice under Section 35(3) and appeared before the I.O. and I.O. did not feel it proper to arrest the petitioners.

14. Thus, I am inclined to allow this application subject to the condition that the petitioners should appear before the I.O. in every 15 days and will cooperate in the investigation and will produce all the documents, if any, required for the purpose of investigation.

15. Accordingly, this Anticipatory Bail Application stands **allowed**. The petitioners, above named, are directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of their surrender or arrest, they shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Ranchi in connection with Kotwali P.S. Case No.01 of 2025, subject to the condition that one of the bailers should be a close relative of the petitioners and he should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which they are having share and to that effect, they have to file an affidavit before the Trial Court indicating their share in the property.

(ANANDA SEN, J.)