

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No.5132 of 2025

Shailesh Kumar Singh, aged about 58 years, Son of Late Vikramaditya Singh, resident of House No.-314/3, Indrapuri, Road No.1, Ashiana Nagar, P.O- Bihar Veterinary College & P.S-Sastri Nagar, District-Patna, State-Bihar, 800023. Petitioner

Versus

The State of Jharkhand through CID ... Opp. Party

With

ABA No.5698 of 2025

Bimal Kumar Agarwal, aged about 53 years, son of Shri Bir Kumar Agarwal, resident of South City Residents, Tower-I, 6J, 375, Prince Anwar Shah Road, Near South City Mall, Jodhpur Park, PO Jodhpur Park, PS Jadavpur, District Kolkata- 700068, (West Bengal). Petitioner

Versus

The State of Jharkhand through CID ... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Indrajit Sinha, Advocate
Mr. Raja Ravi Shekhar Singh, Advocate
Mrs. Sneh Singh, Advocate
For the State : Mr. Mirnal Kanti Roy, APP

2/16.02.2026 Heard learned counsel appearing on behalf of Petitioners and learned counsel appearing on behalf of the State.

2. These petitions are arising out of the same FIR, in view of that, these petitions are heard together with the consent of the parties.

3. The petitioners are having the apprehension of being arrested in CID P.S. Case No.04/2025 dated 09.01.2025, registered under Sections 406, 420, 467, 468, 471, 120B, 34 of the Indian Penal Code and Sections 30 and 63 of the Indian Forest Act, 1927, pending in the Court of learned Additional Judicial Commissioner, XVIII cum Special Judge, CID, Ranchi.

4. The FIR has been registered alleging therein that as per the prosecution case, CID P.S. Case No. 04/2025 dated 09.01.2025 was

registered pursuant to a detailed complaint lodged by the Forest Divisional Officer, Bokaro Forest Division, Bokaro alleging a land fraud concerning approximately 95.65 acres of forest land located in Mouza Tetulia, P.S. Chas, District Bokaro. It is alleged that accused persons namely Izhar Hussain, Akhtar Hussain, and their associates, in conspiracy with public servants, illegally claimed ownership over protected forest land by fabricating and using forged documents particularly a sale certificate purportedly issued in 1933 which was never found in official records. These forged documents were allegedly used to mutate the land and sell it to various parties, including M/s Umaayush Multicom Pvt. Ltd.

(i) The prosecution case arises out of a large-scale land scam involving approximately 95.65 acres of forest land located in Mouza Tetulia, P.S. Chas, District Bokaro, which includes Plot Nos. 426 and 450. The said land was originally declared a private protected forest in 1947, and subsequently notified as protected forest land by the Bihar Government vide notification dated 24.05.1958. In 1962, the land was transferred for use to the Hindustan Steel Limited (now Bokaro Steel Plant, BSL) but was never formally returned to the Forest Department.

(ii) In or around 2012, accused persons Izhar Hussain and Akhtar Hussain, under an alleged criminal conspiracy, fabricated documents claiming to be descendants of one Sameer Mahat @ Sameer Mahato @ Sameeruddin Ansari, who they falsely claimed had acquired the land through auction in 1933. These documents included a dubious

auction sale certificate and a hibbanama (gift deed) allegedly executed by their grandfather. On the basis of these documents, they fraudulently secured mutation orders and correction letters, despite the fact that at the time of the alleged auction, the purported purchaser was only 9 years old.

(iii) The fraud was facilitated by the Anchal Adhikari of Chas, who issued mutation orders without lawful authority. The matter was flagged by the Divisional Forest Officer and investigated by a three-member government committee, which confirmed the forged nature of documents, the non-cultivated status of the land, and no possession by the accused.

(iv) Despite this, the forged title was used by Izhar and Akhtar Hussain to execute a registered sale deed dated 10.02.2021 in favour of Umaayush Multicom Pvt. Ltd., a company formed just 20 days prior with a market capital of Rs. 15 lakhs. The said company allegedly paid ₹10.3 crores by cheque, but the genuineness of these payments is also under suspicion.

(v) Manipulation was uncovered in proceedings before the Settlement Officer, Dhanbad, where an earlier dismissed case was illegally revived, signatures of original plaintiffs were forged, and the land extent was inflated from 10 decimals to 74.38 acres.

(vi) The fraud came to light after the Forest Department initiated correspondence with the District Registrar, Purulia, who confirmed that the original sale certificate from 1933 does not exist in official records. Based on these findings, FIR No. 32/2024 was registered at

P.S. Sector XII, Bokaro, and subsequently, CID P.S. Case No. 04/2025 was registered under Sections 406, 420, 467, 468, 471, 120B, 34 IPC and Sections 30 and 63 of the Indian Forest Act.

5. Mr. Indrajit Sinha, learned counsel appearing for the petitioners in both the cases submits that the case has been registered against the petitioners alleging that the subject land is *jangal-jhari* and protected forest land, that was the subject matter before this Court in writ petition being WP(C) No.593 of 2017 and by the order dated 14.06.2018, after considering the provisions of Indian Forest Act and Bihar Land Reforms Act, the Court has been pleased to reject the State Government's contention that the said land was forest land and also upheld the *jamabandi* of the writ petitioner holding it to be *rayati* land. He next submits that the said order of single judge was challenged in LPA No.786 of 2018 and on 05.11.2020, which was dismissed and that order of Division Bench was taken before Hon'ble Supreme Court in SLP(C) No.8108 of 2021, however, the Hon'ble Supreme Court has been pleased to dismiss the SLP on 06.07.2021. He next submits that the false criminal case has been lodged against the petitioners. He also submits that so far as Shailesh Kumar Singh is concerned, he was the power attorney holder of Izhar Hussain, who happened to be the land owner, for which the case has been lodged. He next submits that so far Bimal Kumar Agarwal is concerned, he is the director of the Company, which was intend to invest on the said land and there is certain agreement between Shailesh Kumar Singh and the Company namely Rajbir Construction

and Bimal Kumar Agarwal is the director of the Rajbir Construction. He next submits that Rs.03 crore has been transferred by Bimal Kumar Agarwal in another company' account namely M/s Umaayush Construction, which was being operated by the son of Shailesh Kumar Singh. He next submits that one CP Case No.558 of 2018 was also lodged against the petitioners, which on contest was dismissed on 08.06.2023 and the petitioner Shailesh Kumar Singh was acquitted. He also submits that another complaint case was filed being Complaint Case No.373 of 2023, which was withdrawn by order dated 22.09.2021 and CP Case No.1031 of 2018 was dismissed on 31.01.2025. He further submits that another case being Sector-12 P.S. Case No.50 of 2016 was also lodged against the petitioners, which was challenged before this Court and this Court has been pleased to quash the said proceeding by the order dated 24.06.2024 in Cr.M.P. No.444 of 2017. He next submits that the Izhar Hussain is the land owner and he has executed the Power of Attorney to Shailesh Kumar Singh and Izhar Hussain has been arrested by CID and Izhar Hussain and Akhtar Hussain, two of the accused persons have been granted regular bail. He submits that Punit Kumar Agarwal, who is another director of Rajbir Construction Pvt. Ltd. was arrested and he has also been granted regular bail in BA No.7659 of 2025 by the order dated 22.08.2025. He then submits that if there is any dispute, that is civil in nature and for that the Forest Department is required to move before the competent Court of civil jurisdiction. On instruction, he further submits that now it has been

revealed that the Forest Department has filed Civil Suit, which is pending. On these grounds, he submits that the Petitioners may kindly be granted anticipatory bail.

6. Mr. Mrinal Kanti Roy, appearing along with Mr. Deepankar, opposed the prayer of anticipatory bail and submits that the connivance of the certain government officials have also been found in the investigation and pursuant to that Circle Officer of Chas has already been dismissed from service, as the land in question is belonging on the said irregularities done in connivance with the petitioners. He also submits that certain facts were concealed by the government officials and in view of that in the present FIR, the government officials are also made accused. He further submits that it has been revealed in the investigation that mutation case No. 1317 volume 7 / 2012-13, was in the name of Smt. Dimpal Devi, wherein it has been claimed through this *jamabandi*, the said *jamabandi* was opened in the name of Izhar Hussain, who is said to be the alleged land owner and that has come in Para 193 of the case diary.

7. He next submits that one Title Suit No. 03 of 1987 was instituted by one Tikait Rameshwar Narayan Singh and the said title suit was dismissed on 29/6/2012 and it was decided in favor of the State. He next submits that due to connivance of the government officials, a joint inquiry committee report dated 9/6/2016 was not submitted before the government as well as before the High Court and in LPA Court. He next submits that the *jamabandi* No. 1665 was created only in the year 2012 and that was obtained by a forged rent

receipt of the year 1966. He next submits that while earlier proceedings were going on, the First Appeal No.64 of 2020, was pending arising out of Title Suit No.03 of 1987, was not brought to the knowledge of the High Court. He next submits that the sale deed of the year 1993 being sale deed No. 191 of 1993, which was registered in the district of Purulia and on correspondence made by the State, the district registrar of Purulia, it has been informed that those documents are not available and that has been brought in the counter affidavit filed by the Forest Department, at page No.241. He next submits that 103 acres of land was transferred in favor of Bokaro Steel Limited by the Forest Department on 24/5/1962. By way of referring Para 153 of case diary, he submits that it has come that the letter No. 1642 dated 9/6/2010 was furnished to letter No. 4581 dated 21/4/2025, wherein the plot No.426 and 450 measuring 30.35 acres and 55.40 acres situated at mauza Titulia, Thana No. 38 were transferred to the Bokaro Steel Limited. In the investigation, it has further revealed that co-accused Izhar Hussain's grand-father Samruddin Ansari had four sons namely Badababu Ansari, Sahid Ansari, Sardar Ansari and Gafoor Ansari, all of whom were employees of Bokaro Steel Limited. He also submits that from the examination of service record of those persons, it has been revealed that the date of the birth of their father Samruddin Ansari was recorded as 26/3/1924. As such, on the date of the purported auction sale deed dated 20/9/1933, Samruddin Ansari, who is the father of Izhar Hussain was only about 9 years and 5 months old and that has

come in Para No.148 of the case diary. He also submits that when he was 9 years and 5 months old, the background has been made that on the obtaining of the said land on the auction sale of the year 1933. He submits that when the father was in such a tender age, it was impossible that he would have been purchased the said land on the auction sale. He also submits that in the enquiry, it has been revealed that Samruddin Ansari @ Sameer Mahato are the one person and he is said to be the grandfather. By way of referring Para 243 of the case diary, he submits that it has been recorded therein that Samruddin Ansari used to make signature and he is not known by other name. In this background, he further submits that *Hibbanama*, purportedly executed by Samruddin Ansari with the co-accused of Izhar Hussain, grandfather making a thumb impression is appears to be false and fabricated.

8. He further submits that a three-member committee was constituted to enquire into the matter and upon submission report, it was revealed that the land in question situated at mauza Tetulia Thana No.38, Khata No.59 and Plot No. 426 of 450 was recorded as protected forest in the Bihar Gazette dated 9.7.1958.

9. He also submits that the *Jamabandi* No. 70 which was purportedly opened bears no signature of any competent authority and contains only endorsement that *Jambandi* is registered as per the order of the Circle Officer. He also submits that even the case number is not disclosed therein. He also refers to Para 451 of the case diary and submits that by the letter dated 7/8/2025, Head of the

Department, Bengali language was requested to translate Bengali Deed No.311 of 1893 and Deed No.5018 of 1993. Upon translation and examination, it was emerged that the land purchased by the co-accused Izhar Hussain through auction sell held on 20/9/1933. It is revealed that the land was surrendered on 25/11/1933 indicating that it was not validly auctioned. He also submits that in view of that it is clear that the auction sale in favor of Izhar Hussain's grandfather was forged and fabricated and the petitioners along with other co-accused persons have committed fraud with the intention of unlawful misappropriating of forest land.

10. He also invites the attention of the Court at Para 340 of the case diary and submits that the petitioner has filed an NOC issued by the forest department and that was found to be forged and that has come in Para 420, 379 & 340 of the case diary. Para 337 of the case diary, Akhtar Hussain, who is another accused has confessed that steps on behalf of Izhar Hussain and Akhtar Hussain on mutation in Register-II was taken by the petitioner Shailesh Kumar Singh. On these grounds, he submits that anticipatory bail may not be granted to these petitioners, as there is serious allegation of taking away the forest land of 103 acres.

11. In view of the above submissions of the learned counsel appearing for the parties, the court has gone through the material available on record including the contents of Annexures as well as the case diary and the counter affidavit filed by the State of Jharkhand as well as the Forest Department and during the course of

Court's proceeding, the case diary was handed over to the Court.

12. There is no doubt that there are certain cases, which have been lodged against the petitioners as has been noted in the submission of the learned counsel appearing for the petitioners have been quashed or withdrawn or the petitioners have been acquitted. However, it has to be taken into note that facts as has been disclosed in the counter affidavit as well as one Title Suit No. 03 of 1987 and of the First Appeal No. 64 of 2015 have not been brought to the knowledge of the court in the earlier proceedings. It has been pointed out by the learned counsel appearing for the State that government officials are also accused in the present case and one of the circle officer, who is heading at that time as the circle officer of Chas has already been dismissed from the service for the said connivance along with the petitioners. In Paragraph No.153 of the case diary, it has revealed that on the basis of the letter No. 1642, the plot No. 426 & 450 measuring 30.5 acres and 45.50 acres situated at Mauza Tetulia, Thana No.38, Bokaro were transferred to the Bokaro Steel Limited by the forest department on 24/5/1962. The grandfather of the co-accused Izhar Hussain had four sons: Badababu Ansari, Sahid Ansari, Sardar Ansari and Ghafoor Ansari, and all were the employees of the Bokaro Steel Limited. Their service records have been examined and the date of birth of Samruddin Ansari has been recorded as 26/3/1924 and the auction sale was taken place on 28th September 1933, all these have been revealed in Para 140 of the case diary, that the father of Samruddin Ansari is only nine years and five

months old. The questions mark is there, how a tender aged boy had purchased the said huge land on the basis of auction sale. In Para 243 of the case diary, the Samruddin Ansari is said to be also Sameer Mahato and it has been revealed that the Samruddin Ansari and Sameer Mahato are the same person, wherein it has been argued that Samruddin Mahato was the grandfather of Izhar Hussain. *Prima facie*, it clearly suggests that mischiefs have been done. Plea has been taken of Mutation Case No. 1317 of 12-13, by which the name of Izhar Hussain has been said to be mutated, however, in Para 193 of the case diary, it has been revealed that the said case was instituted by Smt. Dimple Devi and not by the Izhar Hussain and said Dimple Devi is the wife of Santosh Kumar Singh. Samruddin Ansari and Sameer Mahato were similar person he was signing the document in the name of Sameer Mahato as it has come in Para 243 of the case diary pointed by the Land Acquisition Officer, Bokaro, wherein the said auction sale is said to be purchased on the basis of thumb impression, which further suggests that in creating the auction sale deed, mischiefs have been done.

13. A three-member committee has reported as a stated in Para 19 of the counter affidavit filed by the State that *Jamabandi* No.70, which was purported to be opened in favor of Izhar Hussain was having no signature of any competent authority and that contains only an endorsement stating *Jamabandi* register as was the order of the Circle Officer. In the said order, it is not mentioned either the case number or the purported date of order authorizing the opening

of *Jamabandi*. In the counter affidavit of the Forest Department, the office of the District Registrar, Purulia has replied to the Divisional Forest Officer, Bokaro, wherein it has been disclosed that with regard to the sale certificate of 191 of 1933 and in reply to the DFO, Bokaro, the inquiry committee was formed on 10/5/2023 under the chairmanship of the District Registrar, Purulia and the inquiry committee submitted report on 21/5/2023 directing the record keeper of the district record room to search out of everything related to sale certificate 191 of 1993 and it has been further pointed out that every relevant document related to searching and copying of the said period including 25/04/2015 like the concerned page (24-30) of the respective search register, related receipt books (1556 and 1557) and the volume No.58 for 1933, purported to contain the true copy of 191/1933 are not existent and it is not possible to ascertain whether the certified copy of 191/1933 had actually been supplied from the district record room. That is the report of the District Registrar, Purulia contained in the counter affidavit filed by the Forest Department further strengthen the case of the state.

14. The Parameters of anticipatory bail applications and regular bail applications are different. The other co-accused persons have been granted regular bail by this Court and they have not been provided the privilege of anticipatory bail. There are allegations against these petitioners of manipulating the documents of the government forest land and for that one of the circle officer of Chas has lost his job, as it has been pointed out that he has connived with the petitioners. The

other government officials are also facing the prosecution arising out of the same FIR. The company of Bimal Kumar Agarwal being Rajbir construction has transferred of Rs. 3.4 crore in the company namely Umaayush Construction, which is being of operated by the son of Shailesh Kumar Singh. As such, the connivance of Bimal Kumar Agarwal cannot be ruled out. In the attending facts and circumstances of this case, I am not inclined to grant anticipatory bail to these petitioners.

15. Accordingly, prayer for anticipatory bail is hereby rejected and these petitions are disposed of rejecting the prayer.

(Sanjay Kumar Dwivedi, J.)

16.02.2026

R.Kumar