

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16962 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Anish Kumar S/o- Ashok Kumar Resident of Village-Ramkrishna Nagar, New Colony, Pokharia Pir, P.S-Kaji mohammadpur, District-Muzaffarpur (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Industrial Area P.S. Case No.138 of 2024 dated 05.10.2024 registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyay Sanhita (B.N.S.), 2023.

3. As per allegation, the land in question is khatiyani land of the informant in the name of her husband. However, since 1970, several sale deeds have been executed in regard to the land, including the sale deed executed by her husband. Since then, the land has changed several hands and even mutated in the names of transferees in collusion with the Revenue Officers, including the Circle Officers and hence, the case has been



lodged against the persons who have purchased the land and got mutated the land in their names. Even the Circle Officers and Revenue Officers have been impleaded as accused in this case.

4. Learned counsel for the petitioner submits that the petitioner is totally innocent and has falsely been implicated in this case and he is no way connected with the alleged offence. He is not even named in the FIR and police without any legal basis has arrested the petitioner, who is employed in the District Registration Office, Muzaffarpur, as a Searcher. The arrest of the petitioner is illegal and against fundamental right to liberty.

5. He further submits that the petitioner has been languishing in jail since 04.12.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the



sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Hajipur (Vaishali) in connection with Industrial Area P.S. Case No.138 of 2024 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong,
learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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