

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21979 of 2025

Arising Out of PS. Case No.-299 Year-2024 Thana- LALGANJ District- Vaishali

1. Rajeev Kumar Son of Ashok Singh R/o Village- Pojhiya, Ps - Lalganj, Dist- Vaishali
2. Sanjeev Kumar Son of Sri Ashok Singh R/o Village- Pojhiya, Ps - Lalganj, Dist- Vaishali
3. Himanshu Raj son of Deepak Kumar R/o Village- Belwa Kuwari PS- Sadar, Dist.- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2025 Heard Learned Counsel for the petitioners, Learned
Counsel for the informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Lalganj P.S. Case No.299 of 2024, lodged on 04.09.2024, under Sections 419/420/467/468/471/120B/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 19 named accused persons including the present



petitioners against whom allegation is that they prepared illegal sale agreement and want to grab the land of the informant.

4. Learned Counsel for the petitioners submits that the petitioners received a Mahdanama executed on 20.02.2024. The vendor of Mahdanama is the Gift deed holder. Counsel for the petitioners submits that after being verified that this gift is registered deed, the petitioners have received Mahdanama in their favour. Counsel submits that the petitioners are innocent and has committed no offence. Counsel submits that petitioner Nos.1 and 2 have one criminal antecedent and petitioner No.3 has clean antecedent.

5. Learned Counsel for the informant, on the other hand, submits that the alleged Gift deed is subject to title suit and this title suit was decided in favour of the vendor of the informant and this fact has been completely suppressed and being a member of the gang they are disturbing the land of the informant in the name of the alleged Gift deed, which has already been cancelled. He submits that title suit has been decided in favour of the informant's vendor and their coparceners.

6. Learned APP for the State opposes the prayer for bail of the petitioners.



7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the anticipatory bail application of petitioners is hereby rejected. It is made clear that if petitioners surrender before the Trial Court within six weeks, in that case the Trial Court without being prejudiced by the order of this Court shall consider their regular bail application minutely and pass order on its own merit.

(Dr. Anshuman, J)

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