

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44029 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- Benta District- Darbhanga

Sunil Kumar Gami S/O Late Harendra Kumar Gami R/O Mohalla- Hospital
Road Benta, P.S- Benta, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 316(2),
318(4), 338 and 336(3) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that petitioner executed a sale deed in favour of his mother on
11.05.2019 with respect to 4.36 decimals of land but when
mutation application was filed for getting the land mutated in
the name of his mother, it transpired that the land is Gairmajarua
Khas, as such, the mutation was not done.

4. Learned counsel for the petitioner submits that the
sale deed was executed in the year 2019 and the instant FIR
came to be instituted in the year 2025 i.e. six years after the



execution of the sale deed. It is further submitted that from perusal of Annexure-2, it would manifest that the same is a representation on behalf of the informant before the police wherein he has alleged that after purchasing the land when they came on the land for constructing the house the local goons were threatening that how without their permission the land was purchased and they will not allow him to construct house over his purchased land. It is next submitted that the land is ancestral land of the petitioner and he has sold the land to different persons but then no complaint ever came to be registered. It is also submitted that since informant is not being allowed to construct house over his purchased land, as such, the instant FIR has been instituted without bringing on record the order by which the mutation application was rejected.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Benta P.S. Case No. 33 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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