

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53271 of 2025

Arising Out of PS. Case No.-942 Year-2024 Thana- DIGHA District- Patna

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Bhola Rai @ Bhola Ray @ Bhola Kumar S/o Rajeshwar Ray Resident of-
Digha Polsan, Dinapur cum Khagaul, Patna, Bihar- 800011

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Adv
Mr. Prashant Kumar, Adv
For the Opposite Party/s : Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2025 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 61(2),
119(1), 223, 316(2), 318(4) and 3(5) of the Bharatiya Nyaya
Sanhita and Section 3 of Prevention of Damage of Public
Property Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of six cases out of which four cases are
under the Excise Act. It is next submitted that once an accused
is implicated in a case relating to Excise, the police starts
implicating mechanically. It is further submitted that informant
alleges that petitioner along with other accused persons were



making construction of boundary wall on 1.5 *kattha* land of Housing Board forcefully causing loss of lakhs of money of the government.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no description of the land is recorded, i.e., *Khata* number, *Khesra* number. It is also submitted that petitioner has absolutely no concern with the land nor he had ever gone on the land of the Housing Board though the description and boundary of the land are not recorded in the FIR. It is asserted and submitted that petitioner never went on the land of the Housing Board.

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, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Digha
P.S. Case No. 942 of 2024, subject to the conditions as laid
down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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