

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53424 of 2025

Arising Out of PS. Case No.-145 Year-2024 Thana- Hariharnath P.S. District- Saran

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1. Rajiv Ranjan Singh @ Dhananjay Kumar Singh @Rajiv Ranjan Kumar Singh S/o Late Uday Bhanu Pratap Singh R/o Village - Ward no. 19, Sonapur @ Ahirapatti Sonpur, Ward no. 19, P.S. - Hariharnath @ Sonpur, District - Saran
 2. Daya Shankar Singh @ Mahavir Singh @ Mahabir Singh S/o Late Vijay Bahadur Singh R/o Village - Ward no. 19, Sonapur @ Ahirapatti Sonpur, Ward no. 19, P.S. - Hariharnath @ Sonpur, District - Saran
 3. Ranjan Kumar Singh S/o Tippet Singh @ Akhlishwar Singh R/o Village - Ahirapatti @ Ahirapatti Sonpur, Ward no. 19, P.S. - Hariharnath @ Sonpur, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Alok Kumar Singh S/o Tippet Singh @ Akhlishwar Singh R/o Village - Ahirapatti @ Ahirapatti Sonpur, Ward no. 19, P.S. - Hariharnath @ Sonpur, District - Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 14-10-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant Mr. Rajeev Kumar Singh.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 338, 336(3), 340(2), 61(2) of the B.N.S.
3. Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 has antecedent of four



cases, petitioner no. 2 has antecedent of one case and petitioner no. 3 is a person with clean antecedent. It is next submitted that grand-father of the informant had sold the land in dispute to the grand-father of the petitioners. It is further submitted that after the land was purchased by the grand-father of the petitioners, the same was mutated. It is also submitted that the Circle Officer even issued LPC in favour of the petitioners. It is next submitted that in the Year 2024, the informant started disputing that the land belongs to him and the same was never sold. It is next submitted that the jamabandi, which was created in name of the petitioners, was never challenged by the informant or his family members before an appropriate authority, as such it attained finality. It is also submitted that Title Suit No. 285 of 2024 has been filed by the petitioners in the court of learned Sub-Judge-II, Sonapur, in which the informant and others have been impleaded as defendant. It is next submitted that the land in dispute in the instant FIR is subject matter of Title Suit No. 285 of 2024. It is thus submitted that in the event if the petitioners succeed in the title suit and the anticipatory bail of the petitioners presently is rejected, whether the same would amount to travesty of justice or not. It is also submitted that the sale deed by which the grand-father of the petitioners had



purchased the land in dispute from the grand-father of the informant was disputed by the informant, when petitioners had filed the anticipatory bail application before the District Court, as such the learned ADJ-V, had called for a report from the office of the Registrar with regard to the sale deed executed by the grandfather of the informant in favour of the grand-father of the petitioners. It is asserted and submitted that the report which was sent from the office of the Registrar clearly recorded that the sale deed is genuine.

4. Learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners and submits that petitioner no.1 had filed Partition Suit No.774/2012 in which Satrupa, Krishna Gopal Singh, Sangeeta Devi, Deep Prakash and Dipanjali were impleaded as defendants. It is submitted that petitioner no.2 and 3 were not party to the said partition suit. It is also submitted that from perusal of the Schedule attached with Partition Suit No.774/2012, it would manifest that the land in dispute was not a subject matter of the title suit but then a compromise petition (Annexure-D to the counter affidavit) came to be filed by the plaintiff and the defendants of the aforesaid partition suit in which the land in dispute also surfaced and the partition suit was



disposed of in terms of the compromise. It is next submitted that thereafter Mutation Case No.57/2019-20 was filed by the petitioners and Jamabandi No.863 with respect to the land in dispute was created in their favour. It is further submitted that informant has challenged the order by which Jamabandi was created in favour of the petitioners and the same is pending adjudication, on which, learned counsel appearing on behalf of the petitioners submits that in the event if the informant loses the appeal against the order creating jamabandi and the petitioners at this stage are sent to judicial custody, whether or not the same would again amount to travesty of justice. It is next submitted that the dispute is purely civil to which a criminal colour has been given.

5. After hearing the learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned counsel appearing on behalf of the petitioners, the petitioners above-named, in the event of their 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) each 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 Hariharnath P.S. Case No.145/2024, subject to
the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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