

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56735 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- Nagara District- Saran

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1. Shrinivas Singh Son of Late Ram Chandra Singh Resident of Village - Arwa, P.S. - Nagra, District - Saran
 2. Birendra Kumar Singh Son of Late Baijnath Singh R/o Village - Arwa, P.S. - Nagra, Dist. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-09-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Nagra P.S. Case No. 78 of 2025 for the offence registered under sections 316(2), 318(4), 319(2), 336(3), 338, 340(2) and 3(5) of B.N.S. lodged on 01.06.2025 by the informant, Deenbandhu Tiwary.

3. As per the prosecution story, the informant alleged that he possess a piece of land but on the fateful day, came to know that these petitioners are ploughing it. Upon enquiry, they informed that the same has been purchased from Shiv Kumari, and her husband Shashi Kumar Ojha. This led to the FIR.

4. Learned Counsel for the petitioners submit that under bonafide belief that it is a trouble free land, the purchase



was made by the petitioner no. 1 in which the petitioner no. 2 became an identifier little realising that it is problematic land between the cousin sisters, the vendor is related to the informant. He submits that in any case, the purchaser cannot be dragged in such cases.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that despite knowledge of it being the informant's property, purchase was made and as such they have to suffer.

6. Considering the submissions of the parties as also the fact that the petitioners being the purchaser, FIR is there, they will be facing the trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Saran in connection with Nagra P.S. Case No. 78 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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