

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63257 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- BASOPATTI District- Madhubani

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Dheeraj Kumar @ Dheeraj Sah, aged about 40 years (male), son of Jagat Narayan Prasad @ Jagat Narayan Sah, resident of Village- Basopatti, PS- Basopatti, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate Mr. Putushottam Kumar, Advocate
For the Opposite Party/s :		Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Basopatti PS Case No.69 of 2025 dated 26.03.2025, instituted under Sections 126(2), 115(2), 118(2), 329(4), 303(2), 352, 351(2) and 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that on the alleged date of occurrence the informant was sitting in his shop. In the meanwhile, the petitioner, one Niraj Kumar along with four to five unknown persons reached at his shop and asked him to shut the shop, otherwise, they will kill him. The accused persons assaulted the informant with knife and *farsa* on the neck and



threatened not to open the shop. They also looted the cash from the counter.

4. Learned counsel for the petitioner submits that the land, in question, on which the alleged shop is running was purchased by the father of the petitioner in the year 2008 from one Uma Shankar Sah and his father was in peaceful possession of the same. It is also submitted that there was clerical error in the plot number for which the father of the petitioner had approached the seller to get the same rectified. In the meanwhile, the informant fraudulently got the sale deed executed in his favour for the same land from the brother of Uma Shankar Sah, namely, Vijay Shankar Sah. In this way, the informant is trying to usurp the land which was purchased by the father of the petitioner and due to this the present false case has been lodged. Further submission is that in the impugned order there is mention of injury of the informant and it shows that only two superficial injuries were found on the person of the informant. Lastly, it is submitted that one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhubani, in Basopatti PS Case No.69 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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