

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66034 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- KASBA District- Purnia

1. Md. Masihur Rahman @ Md. Masihoor Rahman @ Masihur Rahman S/o- Saidur Rahman @ Md. Sayeedur Rahman R/o- Kazra Baitauna Ps- Kasba Dist- Purnea
2. Md. Zohak @ Md. Johak s/o- Md. Jamil R/o- Village- Guru Aghat Ps- kasba Dist- Purnea
3. Md. Manirul S/o- Naushad Alam R/o- Village- Guru Aghat Ps- kasba Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Md. Helal Ahmad, Advocate
For the State	:	Mrs. Pushpa Sinha-1, APP
For the Informant	:	Mr. Ram Pravesh Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191 (2), 316 (2), 318 (4), 338, 336 (3), 340(2), 111, 126 (2), 303 (2), 351 (2) of the B.N.S.

3. The allegation in the first information report is that as many as 10 accused persons along with 30 to 40 persons tried to forcibly acquire the land of the informant on the basis of some fake documents on the point of pistol.

4. It is submitted by learned counsel for the petitioners



that the present F.I.R. has been lodged after delay of 10 days as the occurrence is alleged to have taken place on 28.04.2025 but the F.I.R. has been lodged on 08.05.2025. It is further submitted that another complaint was also filed by the present informant with regard to the same incident on 13.05.2025. In the statement recorded on solemn affirmation, the present informant has himself admitted upon a Court query, that he had gone to the Registry Office where he had had made the signature over the documents prepared for registry. It is submitted that on such specific averment, it is wrong to say that the documents were fake. It is also submitted that the dispute is purely civil in nature and the allegations against the petitioners are ornamental. No injury has been caused to the informant as there is no injury report on record.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail on the ground that the petitioners have forcibly tried to acquire the land of the informant in association of other accused persons on the basis of fake documents and they are even not appearing before the police upon repeated notice with the original sale agreement.

6. Taking into consideration the facts and



circumstances of the case, the rival contentions of the parties, the delay of 10 days in lodging the F.I.R. and the fact that the dispute *inter se* is purely civil in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kasba P.S. Case No.123 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

7. The petitioners will appear before the Investigating Agency along with the original sale agreement documents and cooperate in the investigation. In case of non-cooperation of the petitioners, the prosecution would be at liberty to file an application for cancellation of bail.

(Soni Shrivastava, J)

Trivedi/-

U		T	
---	--	---	--

