

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70687 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- Mufassil District- Khagaria

Heera Kumar @ Heera Roy S/o Late Ram Lagan Roy R/o Village- Sansarpur,
P.S.- Mufassil, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Adv.
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP
For the Informant	:	Mr. Mritunjay Kumar, Adv.
		Mr. Amardeep Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mufassil P.S. Case No. 84 of 2025, registered for the offences under Sections 318(4), 338, 336(3), 340(2), 116(6) & (7), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioner and the other co-accused persons started putting fence around the boundary of the land of the informant on the basis of forged papers by making an unlawful assembly and they were variously armed.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. There is admitted land dispute and allegation of erecting fence and boundary wall is general



and omnibus. Admittedly an inquiry was done in the papers of the co-accused Shrawan Roy which were found to be forged and Mufassil P.S. Case No. 74 of 2025 has been lodged in which petitioner is not an accused. The land in question is subject matter of partition suit between Shrawan Roy and the co-sharers. For the allegation of committing forgery, two cases bearing Mufassil P.S. Case No. 74 of 2025 and the present case, i.e., Mufassil P.S. Case No. 84 of 2025 have been lodged and petitioner is made accused in the present case. Similarly situated co-accused person Jitendra Kumar Roy has been granted anticipatory bail vide order dated 27.08.2025 passed in Cr. Misc No. 54592 of 2025 by the Co-ordinate Bench of this Court. Learned counsel further submits that in a dispute over title of the land in question, the lodging of criminal case is not proper. The petitioner is having antecedent of four cases and he has been acquitted in one such case and on bail in other cases. The petitioner is in custody since 10.07.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State and learned counsel appearing for the informant vehemently opposes the submission made on behalf of the petitioner. Learned counsel for the informant further submits that the petitioner's side has



been claiming the land in question on the basis of a document of 1920 but after inquiry by a three member committee constituted by the District Magistrate, the document was found to be forged. The petitioner and others wanted to forcibly possess the ancestral land of the informant.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of dispute, period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mufassil P.S. Case No. 84 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three



consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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