

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86173 of 2025

Arising Out of PS. Case No.-346 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Kundan Kumar @ Kundan Kumar Rai S/O Vinod Rai Resident of Village-
Sitalpatti, P.S- Muffasil, District- Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Shankar

For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 24-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 346 of 2025 for the offence under Sections 318(4), 338, 336(3), 340(2), 351(2), 308(3), 308(4), 119(2) and 61(2) of the BNS.

3. As per the prosecution story, the informant has alleged that he lawfully purchased and took possession of a piece of land on 01.07.1988 through a registered deed and has since been in peaceful possession, after fencing, construction, and payment of land revenue. He alleged that certain land mafias, including *Kundan Kumar* and *Ramjivan Kumar Paswan*, repeatedly threatened him to forcibly transfer the land or pay



extortion money of Rs. 26 lakhs, which he refused. Thereafter, in conspiracy with others, they fraudulently transferred the land by forging documents and selling it to associates despite having no lawful title, thereby committing cheating, criminal breach of trust, and forgery. On 17.08.2025, about 30–35 armed persons forcibly broke the gate and attempted to illegally occupy the land, but fled on the arrival of police. The informant further alleged that he was threatened with false cases under the SC/ST Act and with death if he pursues legal action.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The father of the informant namely, Avdhesh Kumar Verma had originally and lawfully sold the land in question to a third party namely, Sakuntala Devi through a duly executed, stamped, attested and registered sale deed dated 19th of July, 1995, in accordance with the provisions of the Transfer of Property Act, 1882, and the Registration Act, 1908.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, and considering that this is purely a Civil dispute between both the parties and title over the land is yet to be decided, this Court is inclined to extend him the privilege of anticipatory bail.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Samastipur, in connection with Muffasil P.S. Case No. 346 of 2025 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the condition that one of the bailors should be close relative of the petitioner.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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