

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.528 of 2025

Arising Out of PS. Case No.-567 Year-2024 Thana- ARA NAWADA District- Bhojpur

1. Putul Singh @ Rakesh Ranjan son of Ravindra Prasad Mohalla-Mahajan Tola No.1, PS-Ara Town ,District-Bhojpur at present resident of Mohalla-Nawada, P.S. -Nawada Ara, District-Bhojpur
2. Binod Singh @ Vinod Singh Son of Sarvjit Singh Mohalla-Mahajan Tola No.1, PS-Ara Town ,District-Bhojpur at present resident of Mohalla-Nawada, P.S. -Nawada Ara, District-Bhojpur
3. Kashi Nath Singh Son of Ramekbal Singh village- shivganj, PS-Ara Town ,District-Bhojpur at present resident of Mohalla-Nawada, P.S. -Nawada Ara, District-Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satya Prakash Yadav clerk, Sadar Hospital, Ara, P.S.- Ara Nawada, District-Bhojpur, Ara

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv. Mr. Makardhwaj Upadhyay, Adv.
For the State	:	Mr.J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 08-10-2025 Heard *Sri Rajendra Narayan*, learned Senior counsel
for the petitioners as well as the *Sri J.N. Thakur*, learned APP for
the State.

2. The petitioners apprehend their arrest in connection
with Ara Nawada P.S. Case No. 567 of 2024 registered for the
offences punishable under Sections 223, 318(4), 329(3) and 3(5)
of the BNS.

3. The informant of this case is a clerk at Sadar
Hospital, Ara. He states in his written statement that the
petitioners were constructing house on the land of the Health



Department after encroaching upon it.

4. Sri *Rajendra Narayan*, learned Senior Counsel for the petitioners has submitted that the petitioners are constructing house on their purchased land and have not encroached upon the land of the State of Bihar. It has been informed by learned Senior counsel for the petitioners that Civil Suit No. 170 of 2025 has already been filed and is pending before the learned Sub-Judge-VIII, Ara.

5. On the other hand, *Sri J.N. Thakur*, learned Additional Public Prosecutor for the State has opposed the prayer for bail and submitted that though it is true that the petitioners are purchasers of some portions of the land from *Rukamani Kunwar* and her vendees but the land on which the constructions were being raised has already been acquired by the State of Bihar.

6. Be that as it may, the State Government may take the recourses of due process of law if there is encroachment on the land of the State Government.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Ara Nawada P.S. Case No. 567 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

Nirmal/-

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

