

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11963 of 2026

Arising Out of PS. Case No.-483 Year-2023 Thana- DHAKA District- East Champaran

1. Tiwari Ray Son of Late Dhuri Rai Resident of village - Sapgadha, P.S.- Chiraiya, District - East Champaran
2. Kanchan Rai Son of Late Dhuri Rai Resident of village - Sapgadha, P.S.- Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 18-05-2026 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dhaka P.S. Case No. 483 of 2023 dated 23.08.2023 for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

3. That the prosecution case, in brief, is that the informant's grandfather had purchased 05 Katha 02 Dhur of land appertaining to Khata No. 31, Plot No. 1259 vide Sale Deed No. 3657 dated 24.04.1951, and thereafter, 04 Katha 10 Dhur of the said land was allegedly sold illegally by Md.



Majahrul Haque, Md. Muslim and Nasima Khatoon to eight persons, including the petitioners, vide Sale Deed No. 6330 dated 21.07.2023 in conspiracy with the vendors, vendees and witnesses.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged in the F.I.R. It is submitted that the petitioner no.2 has no antecedent while petitioner no.1 has four antecedents and, in all of them, he is on bail. Counsel for the petitioners further submits that the petitioners and six others had purchased the land from the accused and other accused were witnesses of the sale deed and it appears that the present F.I.R. was lodged after one month of the execution of sale deed. Learned counsel for the petitioners further submits that the present dispute is purely civil in nature and the informant has the remedy under the law. Counsel for the petitioners lastly submits that all the co-accused persons except the petitioners have already been granted privilege of anticipatory bail by the Co-ordinate Bench of this Court vide order dated 14.07.2025 passed in Cr. Misc. No. 77267 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail of the



petitioners.

6. Having heard learned counsel for the parties and considering the aforesaid facts and circumstances of the case as also the fact that the co-accused persons have already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, 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 Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 483 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds.

(Ajit Kumar, J)

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