

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3473 of 2026

Arising Out of PS. Case No.-475 Year-2024 Thana- DHAKA District- East Champaran

Bajrang Das @ Bajarang Das @ Mahanth Bajrang Das S/o- Gorakh Das R/v-
Baraharwa Siwan Ps- Dhaka Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 28-01-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dhaka P.S. Case No. 475 of 2024, F.I.R dated 12.11.2024 registered for the offences punishable under Sections 336(3), 338, 318(4), 308(2), 303(2), 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant claims exclusive title and possession over land of Khata No. 254 and 522, area 7 kathas, received through partition. His elder brother, *Shiv Shankar Prasad*, had earlier filed title and partition suits which were finally dismissed up to the appellate stage in 2014, with no further appeal. Despite this, on 23.01.2023, *Shiv Shankar Prasad and Rajesh Kumar Shrivastava* allegedly



entered into a criminal conspiracy and fraudulently sold the informant's share of land by executing a forged sale deed in favour of co-accused *Seema Singh, with Rajesh Kumar Shrivastava*. It is further alleged that the accused also threatened the informant and his brother with death unless ₹5,00,000/- was paid as extortion.

4. Learned counsel for the petitioner submits that this petitioner is said to be the witness of the sale deed, which is said to have been executed by the Executor, who is also co-accused in this case, namely, *Shiv Shankar Prasad*, for which title suit and appeal was also filed between the parties, which was dismissed. It has next been submitted that merely because the petitioner was the witness to such sale deed, his name has been roped in while he is not beneficiary in this case and furthermore, *Shiv Shankar Prasad* and also his son *Rajesh Kumar Shrivastava*, who is said to have been a conspirator, have been allowed the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.



7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, East Champaran, Motihari in connection with Dhaka P.S. Case No. 475 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document 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 his/her/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;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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