

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15379 of 2026

Arising Out of PS. Case No.-1016 Year-2023 Thana- BIHTA District- Patna

1. Ravindra Kumar @ Ravindra Rai S/o Vakil Rai R/o Village - Alhanpura, P.S.- Bihta, District - Patna
2. Chhotu Kumar S/o Vakil Rai R/o Village - Alhanpura, P.S.- Bihta, District - Patna
3. Usha Devi W/o Vakil Rai R/o Village - Alhanpura, P.S.- Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-05-2026 Heard learned Counsel for the petitioners, learned Counsel for the Informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Bihta P.S. Case No. 1016 of 2023, lodged on 18.10.2023, under Sections 467/468/471/420/120B of the Indian Penal Code.

3. As per the prosecution, the allegation against two persons, namely, Wakil Rai and Rajesh Kumar (other than the



present petitioners), who are said to be the Gotiya of the informant have obtained the land in their name as well as in the name of others by committing fraud and forgery upon the informant, due to which the present case has been lodged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that, on the previous occasion, this Hon'ble Court was pleased to adjourn the matter on the opposition of the informant, called for the case diary, and orally directed the petitioners to show whether they were applicants to the document on which the informant has alleged that his signature was forged. On merits, learned counsel submits that although the petitioners are named in the FIR, the *fardbeyan* contains specific allegations only against Wakil Rai and Rajesh Kumar, who are alleged to have committed fraud. He further submits that the antecedents of the petitioners are not clean, as two criminal cases have been alleged against them, in which they are on bail, and disclosure of the same has been made in the supplementary affidavit filed by the petitioners.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioners have played an active role in the commission of fraud and forgery,



whereby the land was recorded in the names of the petitioners and others. He further submits that, in the *fardbeyan*, it has been alleged that out of 11 persons, the petitioners are also signatories to the said application. However, learned counsel fairly submits that, despite efforts, he is not in a position to produce the said documents bearing the signatures of the 11 persons, including those of the present petitioners.

6. Learned APP for the State opposes the prayer for bail of the petitioners; however, he fairly submits that, from the case diary, it transpires that the dispute is inter se between *gotiya*, wherein one of the *gotiya* got his name entered in the land records and subsequently sold the same to others.

7. In this background, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned ACJM-II, Danapur, Patna, in connection with Bihta P.S. Case No. 1016 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. And further condition that the Trial Court shall



verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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