

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7527 of 2026

Arising Out of PS. Case No.-56 Year-2025 Thana- DIGHWARA District- Saran

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1. Naval Singh @ Nawal Kishor Singh @ Nawal Kishore Singh @ Nawal Singh S/O Shyam Babu Singh R/O Village- Manupur, P.S- Dighwara, Distt.- Saran.
 2. Dilip Singh @ Dilip Kumar Singh S/O Shyam Babu Singh R/O Village- Manupur, P.S- Dighwara, Distt.- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar Mishra S/O Pramod Narain Mishra R/O Village- Manupur, P.S- Dighwara, Distt.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Khushi Awadh, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Digwara P.S. Case no.56 of 2025 registered under sections 329(3), 115(2), 109, 319, 338, 336 and 340 of BNS, 2023.

3. Allegation in the F.I.R, arising out of a complaint, is that one Bittu Kumar Shah having no right title over a particular plot of land, executed a registered sale deed in favour of the petitioners and when the informant opposed such transaction at the time of demarcation of plot of land, a scuffle took place in which the petitioners also participated.



4. Learned counsel for the petitioners submits, at the outset, that these petitioners are *bona fide* purchasers of plot in question, which was sold by co-accused Bittu Kumar Shah. It has been submitted that the disputed land in question originally belongs to one Bal Govind Shah and the final heir of the said disputed land was Subhash Narayan Shah and Santosh Shah and there was no partition of the disputed land and Bittu Kumar Shah, being son of Subh Narayan Shah, had the adequate right and title over the land in question. As such, no offence of forgery etc., is made out against the petitioners and other co-accused persons. So far as the applicability of Section 109 of B.N.S is concerned, the only allegation against petitioner no.1 is that of pushing the informant on earth and assaulting with fists and slaps causing virtually no injury to the informant. The petitioners undertake to co-operate in investigation.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the fact and considering that the entire incident arises out of a civil dispute between the parties and petitioner being *bona fide* purchasers of a plot of land coupled with the fact that no injury caused to the informant and others is attributable



to the present petitioners, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Digwara P.S. Case no.56 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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