

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10964 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- MADHUBANI TOWN District-
Madhubani

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1. Daud Shekh @ Md. Daud Shekh S/o Kali Mulla R/o Village - Mangrauni Shekh Tola, P.S - Rajnagar, District - Madhubani
 2. Shamima Khatoon W/o Sarfaraz R/o Village - Mangrauni Shekh Tola, P.S - Rajnagar, District - Madhubani
 3. Mostakima Khatun @ Mustakima Khatoon D/o Daud Shekh @ Md. Daud Shekh R/o Village - Mangrauni Shekh Tola, P.S - Rajnagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha, Adv.
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Madhubani Nagar P.S. Case No.363 of 2025 dated 24.08.2025 under Section 318(4) of the BNS and later under Sections 316(2), 318(2), 336(2), 338, 61(2) of the BNS, which is pending before the court of C.J.M., Madhubani.

3. As per the prosecution, the FIR has been lodged against six named accused persons including the petitioners with allegation that all accused persons in connivance with each



other, have sold land at the rate of Rs.21,80,000/- and executed sale deed. When the informant reached on the land then he finds that the land belongs to another co-sharer and also they stopped the informant by granting possession to the said land.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that from the FIR, it becomes crystal clear that there is land dispute between the parties and other co-sharer is creating trouble to the informant. He further submits that admittedly, sale deed has been executed in favour of the informant and it is purely a land dispute.

5. Counsel also submits that antecedent of the petitioners is clean.

6. Learned APP for the State opposes the prayer for bail and submits that the allegation made in the FIR that petitioners have sold other land to the informant claiming their own and in this way, committed fraud of Rs.21,80,000/-.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners, therefore the bail application of the petitioners is hereby rejected.

8. However, if the parties shall enter into settlement



then Trial Court is directed to consider the regular bail application of the petitioners, if they surrender within six weeks and pray for regular bail, then trial court shall pass order on merit or demerit, without being prejudice of the present order.

(Dr. Anshuman, J)

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