

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21556 of 2026

Arising Out of PS. Case No.-532 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Mukesh Kumar Singh @ Mukesh Singh S/o Vishwanath Singh Resident of
village -Loksha, P.S- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Motihari Mufassil P.S. Case No. 532 of 2025 registered for the alleged offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, some land mafias grabbed the land of the informant and Motihari Mufassil P.S. Case No. 443 of 2025 was instituted against the petitioner and other co-accused persons. The informant has further alleged that petitioner and other co-accused persons carried away construction materials like bars, sand, stone chips etc. worth Rs. 15-20 lakhs from the land of the informant. Thereafter, the



informant, his family members and neighbours were assaulted by the petitioner and other co-accused persons.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. True fact of the case is that there is admitted land dispute between the informant and co-accused Sudhir Srivastava, who has entered into an agreement with one Ravi Ranjan Singh and others who had purchased the land from one Maya Khatoon. The informant has purchased the land from a person who has no ownership or title over the said land. During Assembly election, the petitioner worked against one Pawan Jaiswal who lost the election and thereafter, he has been trying to harass the petitioner by implicating him in false criminal cases with the help of present informant and others. Learned counsel further submits that the informant in collusion with Pawan Jaiswal lodged two cases, i.e., Mufassil P.S. Case No. 443 of 2025 and also the present case. Learned counsel further submits that the petitioner was not seen in the CCTV footage. Learned counsel next submits that on the alleged date of occurrence, i.e., 11.08.2025, the informant and his associates had been blocking the road over the said disputed land and the police arrived and



tried for the removal of the blockade and lodged Mufassil P.S. Case No. 533 of 2025 against the informant and others which was registered under Sections 192(2), 191(3), 190, 194(2), 221, 126(2), 115(2), 352 r/w 3(5) of BNS. Learned counsel further submits that it is relevant to state here that in the said case, the petitioner was not made an accused. There was no motive or intention to cause death of the informant and his family members and, as such, Section 109 of BNS is not made out. Learned counsel further submits that the petitioner is having antecedent of three cases but two of these cases have been lodged by the informant side. Moreover, the cases are of the years 2010, 2017 and 2025, respectively.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran/court concerned in connection with Motihari Mufassil P.S. Case No. 532 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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