

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26445 of 2026

Arising Out of PS. Case No.-406 Year-2025 Thana- NATHNAGAR District- Bhagalpur

Nawkant Singh S/o Late Bhagwat Singh R/o Village - Shahpur, P.S -
Nathnagar, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-04-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nathnagar P.S. Case No. 406 of 2025, for allegedly having committed offence under Sections 318(4), 338 and 340(2) of the BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that when he went to his parental property for doing agricultural work, then petitioner, who happens to be the younger brother of his grandfather, stopped him from doing the same. He even started abusing and threatening him and told the informant that if he will come again on the land, then he would be killed. When the informant



went to the Circle Office and obtained a copy of the record, then it transpired that in the mutation paper, an affidavit has been attached in which signatures of all the brothers have been made, which has been signed by the petitioner and illegally the land has been mutated in his name. The land is the ancestral property and mutation has been done illegally. He filed an application for cancellation of Jamabandi before the learned Additional Collector, Sadar, Bhagalpur vide Appeal Case No. 498 of 2023-24 and the same has been cancelled. Thereafter, the informant approached the office of the Circle Officer and then the name of the petitioner has been removed from the revenue records.

4. The learned counsel for the petitioner submits that the petitioner and the informant are agnates and there was an oral partition in the family and all the co-sharers came in their respective possession. He further submits that one of the agnates filed Title Suit No. 423 of 2013 in the Court of learned Sub-Judge- I, Purnea, in which the present petitioner has also been arrayed as a defendant, wherein a prayer has been made for partition of the ancestral property. Several disputes are going on in between the parties. He further submits that after oral partition, the land in question came in the share of the petitioner, therefore he filed an application before the Circle Officer,



Nathnagar for mutation of the land and accordingly, the said land has been mutated in the name of the petitioner in the year 2013 and thereafter the petitioner started enjoying peaceful possession over the land. Subsequently, when the informant filed Mutation Appeal No. 497 of 2023-24 before the learned D.C.L.R., Sadar, Bhagalpur, the mutation of the land was cancelled on 29.04.2025. The petitioner has preferred Mutation Revision No. 262 of 2025-26, which is pending for consideration. The petitioner has got clean antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the rival submissions and after going through the record, it appears that there is a dispute in between the family members with regard to partition of the ancestral property, for which a title suit is also pending. The land was mutated in the name of the petitioner and later on, on an application filed by the informant, the mutation in the name of the petitioner has been cancelled, against which, a revision has been filed by the petitioner, which is pending before the authority concerned for consideration. Considering the above, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, 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 Judicial Magistrate First Class, Bhagalpur in connection with Nathnagar P.S. Case No. 406 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. 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.

(Ritesh Kumar, J)

AjayMishra/-

U		T	
---	--	---	--

