

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28228 of 2026

Arising Out of PS. Case No.-472 Year-2024 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Durga Prasad @ Durga Kumar Singh S/o Late Vidyanand Prasad @ Late
Vidyanand Singh R/o village- Churamanpur, P.S.- Buxar Industrial, District-
Buxar, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Birendra Singh S/o Late Kawaldeep Singh R/o vill- Churamanpur, P.s.-
Buxar Industrial, Distt.- Buxar, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Mishra, Adv.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the O.P. No. 02	:	Ms. Ruby Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-07-2026

Heard Mr. Abhishek Mishra, learned Advocate for the
petitioner and the Mr. Satyendra Narayan Singh, learned
Additional Public Prosecutor for the State. The O.P. No. 02 is
represented through Ms. Rupa Sinha, learned Advocate.

2. The petitioner apprehends his arrest in connection
with Complaint P.S. Case No. 472(C) of 2024, registered for the
offences punishable under Sections 418 & 420 of the Indian
Penal Code.

3. The allegation against the petitioner is of
manipulating the Chakbandi record in connivance with the
Chakbandi Karamchari and fraudulently got the Chak Khata No.



519, Plot No. 1050, measuring 3 decimals, registered in his own names, despite the Khatiyani reflecting joint possession of both parties.. It is also alleged that when the complainant approached to the Public Grievance Redressal Officer, and he was advised to prefer an appeal, the petitioner has threatened the complainant to demolish the house. The intention of the petitioner is said to be usurping the land of the informant and his share in the property.

4. Learned Advocate for the petitioner submitted that from the materials available on record, besides the accusation it clearly suggests that on account of some suspicion, with regard to manipulation in Chakbandi record, the present complaint case has been instituted. Moreover, the petitioner has a remedy available before the Civil Court of competent jurisdiction to get the relief nonetheless the O.P. No. 02 has instituted the complaint case to mount pressure and settle the score. It is further contended that, be that as it may the petitioner is a senior citizen having fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State and the informant opposed the pre-arrest bail application and submits that since the record clearly reveals that manipulation



has been done by the petitioner in connivance with the Chakbandi Karamchari, and as such, the offence much less under Section 420 of the IPC is made out and thus, the petitioner does not deserve the sympathy of this Court.

6. Having considered the submission advanced by learned Advocate for the respective parties and taking note of the nature of accusation which predominantly appears to be civil, besides the fair antecedent and the petitioner has specific remedy, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Buxar in connection with Complaint P.S. Case No. 472(C) of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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