

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30824 of 2026

Arising Out of PS. Case No.-413 Year-2023 Thana- BAGHA District- West Champaran

Rakesh Tiwari son of Late Radha Raman Tiwari Resident of village -
Manjhariya, Ps- Bhairoganj, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shahbaj Alam, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Bagaha Bhairoganj P.S. Case No. 413 of 2023 for the offence punishable under sections 467, 468, 420, 471, 472, 120B r/w Section 34 of the IPC lodged on 13.06.2023 by the informant.

3. As per the prosecution case, the allegation against the petitioner is that he along with other accused persons by hatching conspiracy and preparing forged deeds are trying to grab the lands of the informant. Accordingly, the FIR.

4. Learned counsel for the petitioners by referring to the allegations made in the FIR submits that there is complex question involved in relation to the title which is claimed by the informant while there is already a Title Suit pending before the



learned court of Civil Judge, Senior Division-2, Bagaha, West Champaran vide T.S. No. 39/24, CIS No. 42/2024 and the issues have already been framed, in which the uncle of the informant has already appeared and a party to the said suit.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that for a dispute which is the subject matter of FIR, there is already Title Suit, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ***Additional Chief Judicial Magistrate- 1st, Bagaha, West Champaran***, in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial



Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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