

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39241 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- LAKHAURA District- East Champaran

1. Saroj Patel Son of Shankar Singh, Resident of Village- Gola Pakariya, P.S.- Lakhaura, District - East Champaran, Bihar
2. Pankaj Kumar Mishra Son of Haradesh Mishra @ Haridesh Mishra, Resident of Village- Gola Pakariya, P.S.- Lakhaura, District - East Champaran, Bihar
3. Anup Kumar Mishra Son of Rambihari Mishra @ Bihari Mishra, Resident of Village- Dhahar, P.S. - Ramgarhwa, District - East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar Pankaj, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Lakhaura P.S. Case No. 04 of 2026 dated 06.01.2026, registered for the offences punishable under Sections 115(2), 126(2), 319(2), 318(4), 338, 336, 340(2), 308 and 3(5) of B.N.S., 2023.

3. As per allegation, the informant purchased a piece of land from the co-accused/Manoj Kumar Mishra in the year, 1990 and as per further case of the informant, the same land has been sold by Manoj Kumar Mishra to the petitioner No. 1/Saroj



Patel and petitioner No. 2/Pankaj Kumar Mishra in the year, 2025 and other co-accused are either witnesses to the sale deed, or identifier of the executant of the sale deed. The petitioner No. 3/Anup Kumar Mishra has signed the sale deed as a witness.

4. It is also case of the informant that subsequent to the execution of the sale deed to the accused-petitioners, they came to the land claiming it as their own which led to altercation between both the parties resulting into fisting. However, the informant went away from the land in question to avoid any further altercation. When the informant was mediating with the accused-petitioners, they were demanding extortion of Rupees one lac.

5. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as per the prosecution case itself, the petitioner No. 1/Saroj Patel has purchased the subject land from co-accused/Manoj Kumar Mishra by a sale deed which is genuine one. Only claim of the informant is that the same land has been purchased from the same seller i.e. Manoj Kumar Mishra long back in the year of 1990. Hence, there is no question of any cheating of the informant by any of the accused, because Saroj Patel and Pankaj Kumar Mishra have purchased



the land by a genuine sale deed and other co-accused are either witnesses or identifier of the executant of the sale deed. Other allegations are frivolous and ornamental trying to give colour of criminality of the alleged facts and circumstances which at most constitute a dispute of civil nature in substance. He further submits that co-accused/Raja Babu, who is a identifier on the sale deed, has been already enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 26.05.2026, passed in Cr. Misc. No. 35766 of 2026.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

8. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

9. I considered the submissions advanced by both the parties and perused the materials on record.

10. I find that the alleged facts and circumstances basically constitute a dispute of civil nature and the other allegations of offence are frivolous in nature.

11. Accordingly, **this petition is allowed**, directing



the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court below, in connection with Lakhaura P.S. Case No. 04 of 2026, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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