IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36346 of 2026

CNR No. BRHC010485622026

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

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Manoj Mishra @ Manoj Kumar Mishra S/o Late Brijkishor Mishra R/o Village - Gola Pakdiya, Ward No. 1, P.S. - Lakhaura, District - East Champaran.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Hari Kishore Mishra S/o- Late Madhusudan Mishra, R/o- Gola Pakadiya, ward No.-01, P.S.- Lakhaura, Dist.- East Champaran

... ... Opposite Party/s

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Appearance :
For the Petitioner : Mr. Umesh Kumar Gupta
For the State : Mr. Raj Kishor Singh
For the OP-2 : Mr. Umesh Kumar Singh & Mrs. Shobhnashreya

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

3 28-10-2026 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner apprehends his arrest in Lakhaura P.S. Case No. 04 of 2026 registered for offences under Sections 115(2), 126(2), 319(2), 318(4), 338, 336, 340(2), 308 and 3(5) of the B.N.S., 2023.

3. As per the First Information Report, which has been lodged on the basis of the written report submitted by the informant, to the effect that in the year 1990, he purchased a piece of land bearing Khata No.151, Khesra No.902 measuring 12 dhur from Manoj Kumar Mishra (petitioner), and his brothers are witnesses of the sale deed. As per the First Information

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Report, the land belongs to the informant and his brother Nawal Kishore Mishra and the accused persons sold the land without any title. Further allegation is that on 14.12.2025 at about 11:30 A.M. all the accused persons, including the petitioner, along with 15 unknown persons came to the land in question and threatened the informant and also assaulted him. Further allegation is that the matter was tried to be settled through *Panchayati*, but the petitioner and others are demanding *rangdari* from the informant.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. Petitioner is one of the vendors of the land in question. He submits that the date of occurrence is 18.08.2025, but F.I.R. has been lodged on 06.01.2026 i.e. after a delay of more than four months without any plausible explanation. He further submits that petitioner initially executed a sale-deed in favour of informant in the year 1990 and thereafter, petitioner executed another sale-deed in favour of Saroj Patel on 18.08.2025, which was not of the same land. Though, khata number and khesra number are same in both sale-deeds, but the area of the land is not same and thus, petitioner has not committed any fraud against informant. Other similarly situated co-accused persons

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have already been granted anticipatory bail by coordinate Benches of this Court. Moreover, the dispute is purely civil in nature and no criminal offence is made out. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Lakhaura P.S. Case No. 4 of 2026, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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