

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36818 of 2026

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

Pramod Mishra Son of Late Brajkishor Mishra Resident of Village- Gola
Pakdiya, Ward No. 1, P.S.- Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Umesh Kumar Gupta, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 27-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

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

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 and in which the brothers are witnesses of the sale deed. It is further alleged that said Manoj Kumar Mishra and Pankaj Kumar Mishra have sold same land to Saroj Patel and Pankaj Kumar Mishra and in deed one



Anup Kumar Mishra is witness and the petitioner is an identifier. As per the First Information 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. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He submits that the petitioner had earlier sold the land in 1990 in favour of Hari Kishore Mishra (the informant) and thereafter another sale deed was executed in favour of Saroj Patel on 18.08.2025, which was not for the same land, which was executed in favour of the informant. He submits that though the khata number and khesra number in both the sale deeds are same, however the area is different and the subsequent purchaser of another portion of the same land namely Saroj Patel has never claimed possession over the land, which was



sold to the informant in 1990. He further submits that the land belongs to the petitioner and he had executed the sale deed in favour of the informant for another portion of the same khata and khesra number and later on executed the sale deed on 18.08.2025 for another portion of the same land in favour of one Saroj Patel. He submits that although the allegation of executing sale deed is of 18.08.2025 and of threatening the informant is of 14.12.2025, however the First Information Report has been lodged on 06.01.2026. He further submits that the petitioner has got a clean antecedent and one co-accused person has been granted the privilege of anticipatory bail vide order dated 26.05.2026 passed in Criminal Miscellaneous No.35766 of 2026 (Raja Babu v/s The State of Bihar) by this Court. He further submits that some other co-accused persons have been granted the privilege of anticipatory bail by a Hon'ble Single Judge of this Court vide order dated 17.06.2026 passed in Criminal Miscellaneous No.39241 of 2026 (Saroj Patel & Ors. v/s The State of Bihar).

5. *Per contra*, the learned A.P.P. appearing on behalf of the State vehemently opposes the prayer for grant of anticipatory bail to the petitioner.

6. Having considered the rival submissions and after



going through the records, it appears that the allegation against the petitioner is of executing sale deed in favour of one Saroj Patel for the same land, which was sold to the informant in 1990, however from the averments made in the anticipatory bail petition, it would transpire that although the plot is same, however the area is not the same and sale deed executed in favour of the said Saroj Patel is of another area of the same plot. Further, the informant has a civil remedy which he can avail, however to put pressure upon the petitioner and others, he has lodged the present case. It also appears that some of the co-accused persons have been granted anticipatory bail by this Court as well as by a learned Co-ordinate Bench of this Court.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Lakhaura P.S. Case No.04 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

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 antecedent, the court concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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