

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39188 of 2026

Arising Out of PS. Case No.-386 Year-2025 Thana- TEGHRHA District- Begusarai

1. Ramashish Mahto S/o Late Darogi Mahto R/o Village- Dinayalpur, PS- Teghra, District- Begusarai
2. Ram Prakash Sah S/o Late Ram Ratan Sah R/o Village- Dinayalpur, PS- Teghra, District- Begusarai
3. Amit Kumar @ Amit Sah S/o Doman Sah R/o Village- Dinayalpur, PS- Teghra, District- Begusarai
4. Deepak Rai S/o Late Ram Charitra Rai R/o Village- Dinayalpur, PS- Teghra, District- Begusarai
5. Rinku Devi W/o Deepak Rai R/o Village- Dinayalpur, PS- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate Ms. Rushali, Advocate Ms. Tulika Singh, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioners seek anticipatory bail, apprehending their arrest, in connection with Teghra P.S. Case No.386 of 2025 dated 28.11.2025, registered for the offences punishable under Sections 338, 336(3), 340(2), 339, 318(4) and 3(5) of BNS.

3. The subject F.I.R. has been lodged on a letter written by Circle Officer to the Station House Officer of the concerned Police Station directing him to lodge F.I.R. against



the named persons who are claiming title to the property in question.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the whole F.I.R. is misuse of the process of law. As a matter of fact, the District Administration is taking illegal measure to evict the petitioners from legal possession of the land in question which is mutated in their name or their ancestors and they have got the land by way of settlement. But the District Administration is misusing the process of law by filing this criminal proceeding against the petitioners, whereas the petitioners have already filed suit for declaration of the title to the property claimed by the District Administration as a Government land. Above all the alleged facts and circumstances is at most a dispute of civil nature and there is no criminality involved. The District Administration cannot evict the petitioners by way of misusing of the criminal procedural law. They have to prefer civil remedy by way of filing appropriate Civil Suit before competent Civil Court. This is nothing but harassment of the poor petitioners who belong to poor strata of the society and they have constructed house on the land claimed by the District Administration.



5. 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.

6. It has further been stated paragraph no.3 of the bail petition that the petitioner No.4 has one criminal antecedent, whereas other petitioners have no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the civil nature of the dispute and misuse of criminal procedural law, **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 Teghra P.S. Case No. 386 of 2025, subject to the conditions as laid down under Section 482 (2) of the 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 other than the disclosed one, 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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