

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40997 of 2026

Arising Out of PS. Case No.-125 Year-2025 Thana- Pachpakdi District- East Champaran

1. Md. Mumtaj @ Md. Mumtaz Alam, Son of Md. Najir @ Najir Alam,
 2. Md. Tabrej @ Tabrez @ Md. Tabrez Alam, Son of Md. Najir @ Najir Alam
 3. Nikhat Khatoon @ Nikhat Begum, Wife of Reyazul Haque @ Sk Reyazul
 4. Najma Khatoon, Wife of Md. Najir
 5. Shagufta Khatoon @ Shagufta Begum, Daughter of Imteyazul Haque
- All are Resident of Village-Gadahiya, P.S.-Pachpakri, District-East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranajay Kumar, Advocate
Mr. Shahid Jawed, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Pachpakri

P.S. Case No.125 of 2025 registered under Sections 190,

191(2), 191(3), 305, 331(5), 334(2), 352, 351(2), 324(5)

Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, the petitioners were alleged to

made an attempt to break the wall of the house of informant

by using tractor and also after criminal trespass, committing



theft in the house and took cash of Rs.40,000/- and some jewelry, which was kept in box inside the room and further threatened the informant and his family members to face the dire consequences.

4. It is submitted by learned counsel appearing for the petitioners that present false implication was raised in the background of land dispute between the parties for which, a Title Suit No.38 of 2018 is pending before the court of learned Sub-Judge, Sikrahna at Dhaka, District-Motihari. It is pointed out that the informant is under habit to lodge such false criminal cases against petitioners due to land dispute. In this context, it is pointed out that petitioner nos. 1 to 4 found involved in two more criminal cases with same informant, whereas petitioner no.5 found involved in one more criminal case with the same informant and all such criminal cases were lodged due to land dispute, where all petitioners are on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* this criminal prosecution



appears initiated for the pending land dispute, for which, a title suit is pending before the learned trial court, as discussed aforesaid, accordingly, all above-named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahna at Dhaka, East Champaran, Motihari in connection with Pachpakri P.S. Case No.125 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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