

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41295 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- BANJARIA District- East Champaran

Rashbihari Singh S/o Shri Narayan Singh Resident of Village- Dilawarpur,
Police Station-Kalyanpur, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Ajay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the Informant.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Banjaria P.S. Case No. 11 of 2026 dated
06.01.2026, registered for the offences punishable under
Sections 318(4), 338, 336(3), 340(2), 119(1) and 3(5) of B.N.S.,
2023.

3. The allegation, in short, is that the land belonging
to the informant has been sold by the petitioner and co-accused,
Dinesh Prasad Singh to other co-accused, claiming title to the
landed property in question. However, the land in fact belongs
to the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has sold the land in question to co-accused by registered sale deed which is still not challenged by the informant and that land has come in the share of family partition and hence, the petitioner has not committed any offence. The alleged facts and circumstances at most constitute a dispute of civil nature. He also submits that the similarly situated co-accused has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.05.2026, passed in Cr. Misc. No. 34647 of 2026.

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

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State and learned counsel for the Informant vehemently oppose the prayer of the Petitioner for bail.

8. Considering the civil nature of the dispute, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Banjaria P.S. Case No. 11 of 2026, 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 petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

(Jitendra Kumar, J)

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