

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45210 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- BARHARIA District- Siwan

Alim Ahmad Waseem S/O Late Shamim Ahmad Resident of Vill.- Madhopur,
P.o - Madhopur, P.s - Barharia, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. P.N. Sahi, Sr. Advocate
	Mr. Amir Alam, Advocate
	Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s :	Mr. Jitendra Kumar Singh, APP
For the Informant :	Mr. Gautam Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-07-2026 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 318(2), 336(4), 338 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The informant alleged that all the accused persons, including this petitioner illegally executed a sale deed in respect of government land situated at Madhopur, despite having no lawful ownership over it. An inquiry by the District Registration Office, found that the land had been wrongly treated as private land and sold in violation of law.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offense and was



falsely implicated in this case. It is submitted that the land in question was taken on lease *vide* lease deed dated 20.09.2011 for 30 years, prior to establishment of petrol pump after getting no objection from all required authorities. A Title Suit No. 1712 of 2025 is already pending before Learned Additional Civil Judge, Siwan regarding the same land in which Learned Court directed *status quo vide* order dated 22.01.2026 petitioner is running the petrol pump since 12 years and land never came in dispute. It is however, submitted that the co-villager of the petitioner applied for the opening of a B.P.C.L. petrol pump. However, the proposal was denied N.O.C. by the P.W.D. as the proposed site was only 90 meters from the petitioner's existing petrol pump, contrary to the prescribed distance norms. It is further, alleged that, in connivance with the present Circle Officer, who is related to the complaint, efforts were made to close the petitioner's petrol pump to facilitate the opening of the proposed B.P.C.L. outlet. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event



of his arrest/surrender before the court below 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 Additional Judicial Magistrate-III, Siwan in connection with Barhariya P. S. Case No. 34 of 2026, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

Sanjay/Alok-

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