

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46311 of 2026**

Arising Out of PS. Case No.-736 Year-2023 Thana- MUFFASIL District- West Champaran

Lokesh Kumar Son of Ram Prasad Mahto Resident Of Village - Auraiya, Shiv  
Tola, Ward no. 09, Ps- Bettiah Muffasil (Manuapool), Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rahul Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      29-07-2026                      Heard Mr. Rahul Kumar, learned counsel appearing  
on behalf of the petitioner and Mr. Ajay Kumar No. 2, learned  
APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Bettiah Muffasil (Manuapool) P.S. Case No. 736 of 2023  
registered for the offence(s) punishable under Sections  
419,420,467,468,471, of the BNS.

3. As per the allegations made in the FIR, the  
informant has alleged that the land which has been mutated in  
the name of the petitioner originally belonged to his grandfather,  
who had four sons. The informant claims to be the son of Late  
Suresh Raut and alleges that the petitioner, by forging the  
records, managed to get mutated a portion of the land  
appertaining to Khata No. 54, Khesra No. 39, measuring an



area of 13 kathas and 3 dhurs.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has purchased the land from one Smt. Subdhra Jha, original land owner and if the informant has any grievance, he has remedy before the competent court as the petitioner has created his right by getting the land mutated in his name, pursuant to the sale deed of the year 2021 and since then rent receipt is being issued in his name by the State Government.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that the petitioner has claimed that Jamabandi No.482 has been created in respect of Khata No.54, Khesra No.39, measuring an area of 13 Kathas 3 dhurs in the year 2021 and since then he is in possession of the said land. I don't find any criminality in the allegation made in the FIR. Law in this regard is well settled by the Apex Court in case of ***Bimla Tiwari vs. State of Bihar & Ors.*** passed in ***SLP (Crl.) Nos. 834-835 of 2023***. I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.



7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Bettiah, West Champaran / Concerned Court in connection with Bettiah Muffasil (Manuapool) P.S. Case No. 736 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

**8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.**

**(Purnendu Singh, J)**

Sanjay/-

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