

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74011 of 2024

Arising Out of PS. Case No.-393 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

1. Dwarika Mishra
2. Jitendra Mishra
3. Shrikant Mishra
4. Sanjay Mishra
All are sons of Ramashray Mishra, R/o Village- Koluharwa, P.S. - Motihari
Town, District -East champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP
For the Informant : Mr. Samir Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 04-02-2026 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioners are named in the FIR and

apprehending their arrest in connection with Town P.S. Case

No.393 of 2024 registered under Sections 341, 323, 384,

504, 506, 420, 467, 468 and 471 read with 34 of the Indian

Penal Code.

3. As per FIR, the petitioners alleged to sell the land

of informant by creating a forged documents through sale deed

No.2719/24 executed by petitioner no.3, Srikant Mishra. The



allegation of asking ransom of Rs.2 crore is also available against co-accused Mukesh Yadav.

4. It is submitted by learned counsel appearing for petitioners that primarily the dispute appears civil in nature. It is submitted that the land in issue was in the name of grandfather of all petitioners namely, Ayodhya Mishra. It is submitted that the allegation is specific against petitioner no.3 Srikant Mishra to execute the sale deed, whereas petitioner no.1, 2 and 4 are brother of petitioner no.3. It is submitted that just to aggravate the allegation, the allegation of demanding ransom of Rs.2 crore was raised against co-accused Mukesh Yadav, where admittedly, no amount was paid in furtherance of said demand of ransom. It is also pointed out that Sale Deed No.2719 of 2024 still not challenged by informant.

5. Arguing further, it is submitted that the alleged occurrence took place on 18.05.2024 but the FIR in issue was lodged on 08.07.2024 i.e. almost after fifty days without just explanation. It is submitted that petitioner nos. 1,2 and 3 are men of clean antecedent, whereas petitioner no.4 found involved in one more criminal case of petty nature, where he is



on bail.

6. Learned APP opposed the prayer of bail.

7. Mr. Samir Kumar, learned counsel appearing for the informant while opposing the prayer of anticipatory bail submitted that the informant claimed his right on property, which was purchased by his grandfather in the year 1907.

8. Let it be so, considering the submissions of both parties, it appears that primarily the dispute is of civil in nature, accordingly, all four petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, 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 C.J.M. Motihari, East Champaran in connection with Town P.S. Case No.393 of 2024, 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.)

Sanjeet/-

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