IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80052 of 2026

CNR No. BRHC011055132026

Arising Out of PS. Case No.-175 Year-2026 Thana- Raghunathpur District- East Champaran

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1. Kishun Bhagat @ Shri Kishun Singh S/o Late Jagrup Bhagat R/o vill- Sapahi, P.S.- Turkauliya, Dist- East Champaran
2. Sunil Bhagat @ Sunil Kumar S/o Kishun Bhagat R/o vill- Sapahi, P.S.- Turkauliya, Dist- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhannjay Kumar Ii, Advocate
For the State : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State as well the learned counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Raghunathpur P.S. Case No. 175 of 2026 registered for the offence(s) under Section(s) 318(4), 338, 336(3), 352, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the F.I.R., the informant has alleged that the accused persons, in connivance, have got an illegal sale deed executed in favor of Kishun Bhagat on 03.07.2009 of entire four kathas of land without any authority.

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4. The learned counsel for the petitioners submits that the petitioner have falsely been implicated and they have no concern, whatsoever, with any illegal execution of sale deed as alleged in the F.I.R. It has further been submitted that the petitioner no. 1 is, in fact, the purchaser of the property and if any mischief has been done, it can only be attributed to the vendor of the deed, i.e. Devi Lal Shah, and not against the petitioner, especially, for the fact that the sale deed is of 03.07.2009 and till date, the informant has not objected to the same. It has further been pointed out that the present dispute is completely a civil dispute between the parties and in order to coerce the petitioners into compromising the case, the present F.I.R. has been lodged with an intention to take back the land. It has lastly been submitted that the petitioners carry clean antecedent.

5. The learned counsel appearing on behalf of the informant as well as learned APP for the State have vehemently opposed the prayer for bail and have stated that the petitioners were hand in gloves with the executant of the sale deed and have deliberately purchased the entire four kathas of land, with an intention to grab the property illegally and therefore, they should not be granted the liberty of anticipatory bail.

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6. Having heard the learned counsel for the parties and taking into account the fact that the case relates to the execution of sale deed, which can only be challenged through a civil proceeding filed before a competent Court, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Raghunathpur P.S. Case No. 175 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be

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involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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