IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78612 of 2026

CNR No. BRHC011095732026

Arising Out of PS. Case No.-6 Year-2026 Thana- ARERAJ District- East Champaran

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1. Angad Mishra S/O Dayanand Mishra R/O Village- Salaha, P.S- Govindganj, Distt.- East Champaran.
2. Suman Devi W/O Late Ramakant Mishra R/O Village- Salaha, P.S- Govindganj, Distt.- East Champaran.
3. Krishnalal Mishra S/O Late Bangali Mishra R/O Village- Salaha, P.S- Govindganj, Distt.- East Champaran.
4. Munnakant Mishra S/O Late Yogendra Mishra R/O Village- Salaha, P.S- Govindganj, Distt.- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Shekhar Kunwar, Advocate
For the State : Mr. Ganesh Prasad Singh, APP
For the Informant : Mr. Rajesh Ranjan, Advocate
Mr. Himanshu Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.

2. The Petitioners are apprehending their arrest in connection with Areraj P.S. Case No. 06 of 2026 registered for the offence punishable under Sections 338, 336(3), 340, 318(4), 351(2) and 3(5) of the B.N.S.

3. As per the prosecution case, the informant after purchasing the land in question on 19.08.2002 in the name of his wife was in possession thereof, but on 01.08.2024 he heard

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that the accused persons have fraudulently got executed the said land and are threatening him to dispossess the informant from the said land.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It has further been submitted that the informant is in peaceful possession of the land and the entire dispute is civil in nature. Moreover, if the informant is aggrieved by the subsequent sale deed executed in his favour, he may avail all the remedies available to him under the law. It has further been submitted that petitioner no. 1 is the vendee, petitioner no. 2 is the vendor, and petitioner nos. 3 and 4 are the witnesses to the sale deed. Lastly, it has been submitted that petitioner nos. 1 and 3 have clean criminal antecedents, whereas petitioner nos. 2 and 4 were accused in another case, in which they are on bail, as stated in paragraph 3 of the bail petition.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioners. Learned counsel for the informant has submitted that the petitioners had an intention to deceive the informant from the very inception and a clear case of fraud and cheating is made out against them.

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6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran, in connection with Areraj P.S. Case No. 06 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S..

8. This application stands allowed.

9. It is directed that one of the bailors shall be close relative of the petitioners.

10. It is made clear that any observations made herein are prima facie in nature and are limited solely to the adjudication of the present bail application. Such observations shall not be construed as an expression of opinion on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Praveen Kumar, J)

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