IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76831 of 2026

CNR No. BRHC011107462026

Arising Out of PS. Case No.-148 Year-2026 Thana- KHAIRA District- Saran

==========

1. Bhola Singh Son of Late Ralghunath Singh Resident of Village- Dhobawal, Dhupnagar, P.S.- khaira, Saran, Bihar
2. Pankaj Singh @ Pankaj Kumar Son of Ramesh Singh Resident of Village- Dhobawal, Dhupnagar, P.S.- khaira, Saran, Bihar

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mrs. Shweta Anand
For the Opposite Party/s : Mr. Nagendra Prasad

==========

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the parties.

2. The petitioners are apprehending their arrest in connection with Khaira P.S. Case No.148 of 2026, FIR dated 06.05.2026, registered for the offence punishable under Sections 318(4), 303(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the allegation against the petitioners is that they fraudulently registered the land in question in favour of the informant and also took away the bricks and bamboo from the place of occurrence, which had been kept by the informant for construction.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. By referring to the genealogical chart showing the lineage and succession of the petitioners from their recorded Khatiyani ancestor, it has been submitted that petitioner no. 1 is

WEB COPY

the sole surviving member of Raghunath Singh, who is one of the co-sharers of the property in question, which is said to have been transferred in favour of the informant way back in the year 2024. It has next been submitted that, for unexplained reasons, without explaining the delay in lodging the case in respect of an incident which is said to have taken place on 18.07.2024, the instant case has been lodged making an allegation that the land appertaining to Khata No. 267, Survey No. 1817 does not belong to these petitioners, whereas, by referring to the revenue records appended with the anticipatory bail application at page 18 of the writ application, it has been submitted that the petitioners are the owners of the said land. The nature of the dispute which has been raised is out and out false. On the said land, construction is being carried out by the informant and there is no hindrance caused by the petitioners in such construction. Lastly, it is submitted that the petitioners have no criminal antecedents and that they would cooperate in the trial in case the privilege of anticipatory bail is extended in their favour.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, let the above named petitioners, be released on bail, in the

WEB COPY

event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 JMFC, Saran at Chapra/Successor Court in connection with Khaira P.S. Case No.148 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/ known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;
(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;
(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;
(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

shikha/-

U		T	

WEB COPY