

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5806 of 2026

Arising Out of PS. Case No.-471 Year-2025 Thana- SUGAULI District- East Champaran

Amit Srivastava @ Amit Sinha @ Amit Kumar Sinha @ Amit Kumar S/o-
Arya Kumar Sinha @ Aryan Kumar Sinha R/v- Chhagraha Nayak Tola Ps-
Sugauli Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazir Mian @ Nazir Hussain S/o- Feku Mian R/v- Chhapra Bahas Ps-
Sugauli Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
For the State	:	Mr.Bharat Lal
For the O. P. No. 2	:	Mr. Muneshwar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 07-05-2026 1. Heard learned Counsel for the petitioner, learned Counsel for the informant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sugauli Police Station Case No. 471 of 2025, dated 03.09.2025, disclosing offences punishable under Sections 316(2)/318(4)/338/336(3)/340(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that the petitioner, along with other co-accused persons, have illegally got the land of the informant registered in favour of the petitioner.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the land, in question, belong to one Most. Salimani, who has gifted the land in question in favour of co-accused Aziz Mian, through a registered deed of gift, dated 06.10.1997, and the said Aziz Mian sold the land in question to the petitioner through a registered sale deed on 14.07.2023, for a consideration amount of Rs. 8,37,000/- and after purchase of the land in question, the petitioner is in continuous possession of the same. He further submits that the informant has purchased the said land on 22.12.1997 from said Most. Salimani, i.e. after she executed gift deed in favour of Aziz Mian. He further submits that the a title suit, bearing Title Suit No. 600 of 2023, is pending between the vendor of the petitioner and the Opposite Party No. 2. A case, bearing B.L.D.R. Appeal No. 310 of 2023 is also pending before the Commissioner, Tirhut Division, Muzaffarpur, between the vendor of the petitioner and the Opposite Party No. 2. He further submits that for the civil dispute, the informant has filed the present case giving it a colour of criminal



act.

5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner is a land mafia and the petitioner has concealed his criminal antecedent before the learned District Court, which would be evident from the impugned order itself.
6. In reply, learned Counsel for the petitioner submits that he has disclosed his entire antecedents before this Court.
7. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is land dispute between the parties and a title suit is also pending between them, I am inclined to grant the petitioner privilege of anticipatory bail.
8. This application is, accordingly, allowed.
9. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, at Motihari, in connection with Sugauli Police Station Case



No. 471 of 2025, subject to the condition laid down under
Section 482 (2) of the Bharatiya Nagarik Suraksha
Sanhita, 2023.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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