

IN THE COURT OF SESSIONS JUDGE, BANKA

Anticipatory Bail Petition No. 15 of 2026

Date of filing : 05.01.2026

Date of order : 25.03.2026

Ashutosh Kumar, aged about 33 years, son of Satyendra Prasad Singh, resident of village Majhiyawan, P.S. Badem O.P., district Aurangabad

..... Petitioner

-Versus-

State of Bihar

.....Opposite Party

*Present : - Sri Rajesh Kumar Pathak, Advocate for the Petitioner
Sri Hira Lal Singh, Public Prosecutor for the State*

ORDER

1. *Apprehending arrest the petitioner has preferred this pre-arrest bail application who is booked in Banka Police Station Case No. 278 of 2025, for the offence allegedly committed under Sections 201, 318(4), 338, 336(2) of BNS.*

2. The case of prosecution is based upon a gravamen filed by the Circle Officer with the allegations that they received applications from Manish Kumar and Sindhu Devi on Parimarjan Plus Portal for the for getting mutated in online Jamabandi. Brajesh Kumar Amin was entrusted the work of measurement of the land who took measurement of the land and submitted his report. On the basis of the report of Brajesh Kumar, the above applications were disposed of. Against the disposal of the above applications, Naresh Chandra Sah, Indu Devi, Mohan Mandal, Pran Mohan Mandal, Gopal Mandal, Mahesh Prasad Gupta, Vinay Krishan, Vivekanand filed an objection that the Amin has given forged report without taking measurement and visiting the land. In the preliminary inquiry the objection was found true.

3. In oral arguments, learned counsel for petitioner submitted that the petitioner has falsely been implicated in this case whereas he is not named in the FIR. It is further submitted that the petitioner is revenue staff and the name of this petitioner has come only on the basis that he prepared

report on the basis of recommendation of Amin Brajesh Kumar. It is further submitted that co-accused Brajesh Kumar has been granted anticipatory bail by this court vide order dated 04.12.2025, passed in ABP No. 1083 of 2025 and the case of present petitioner is on lesser footing.

4. *In counter, learned Public Prosecutor for the State stoutly opposed the pre-arrest bail application.*

5. *Heard rival submissions and perused the record. The record reveals that co-accused Brajesh Kumar has been granted anticipatory bail by this court vide order dated 04.12.2025, passed in ABP No. 1083 of 2025 and the case of present petitioner is on lesser footings as he has not been named in FIR. Therefore, keeping in view the law of parity, this court is inclined to grant the petitioner privilege of pre-arrest bail; resultantly, this pre-arrest bail application is allowed. It is, therefore, ordered that upon arrest or surrender of the petitioner within fortnight of receiving the instant order the petitioner be admitted to anticipatory bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of trial court subject to condition as laid down under Section 482(2) of the BNSS. Out of the two sureties, one will be of the same village or close relative of petitioner.*

6. *File be consigned to the record room and that of trial court be sent back with a copy of this order.*

7. *Keeping in view the General Order no. 1 of 1991 (Criminal) dated 07.03.1991, the certified copy of FIR, if desired, be returned back to the petitioners on placing the xerox copy thereof on record.*

(Dictated)

*(Satya Bhushan Arya)
Sessions Judge, Banka
25.03.2026*