
In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

Abhishek K. Das
Sessions Judge,
East Champaran at Motihari

Anticipatory Bail Petition No. 1372 of 2026

1. **Rashbihari Singh, aged about 76 years, S/o- Late Shri Narayan Singh.**

R/o-Dilawarpur, P.S. Kesariya, District- East Champaran.

----- **Petitioner.**

Versus

The State of Bihar

----- **Opposite party.**

Counsel for the Petitioner :- Sri Shailendra Kumar, Advocate.

Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

21.04.2026

This is an anticipatory bail petition filed on behalf of the petitioner, namely, **Rashbihari Singh** who is apprehending his arrest in connection with Banjariya P.S. Case No. 11 of 2026 u/ss 318(4), 338, 336(3), 340(2), 119(1), and 3(5) of Bharatiya Nyaya Sanhita, 2023 (hereinafter B.N.S.).

In para-2 of the anticipatory bail petition, it is mentioned that no other anticipatory or regular bail petition has been filed on behalf of the petitioner either in this Court or before the Hon'ble Patna High Court. In para-3 of the anticipatory bail petition, it is mentioned that the petitioner has no criminal antecedent vide Kesariya P.S. Case No. 347 of 2022 u/s 341, 323, 324, 504, 506/34 of Indian Penal Code.

The prosecution case, in brief, as per application of informant- Sanjeev Bahadur Singh, is that he had got their ancestral land through mutual consent and partition which is located in *Mauza-Pathkauliya* P.S. No.66, *Khata* No.27, *Khesara* No.242, the seller Rakesh Rai, has made a sale by preparing fake documents and secondly, situated under *Mauza-Loknathpur* P.S. No.75, *Khata* No.131 & *Khesara* No.02, the seller Sri Dinesh Prasad Singh and Rashbihari Singh has sold his land having area of 1 *Bigha* and 12 *Kattha* i.e. 1-12-0 to different persons in which some land of his cousin brother Kumar Prabhat Singh, has also been purchased by them by preparing fake documents. All the land has been sold by the above said named persons. All his *jamabandi* is registered in the name of his ancestors, which these land mafias are trying to occupy and they are being threatened with death. He has attached photocopy of the report of Revenue Officer of all his land and the name of all the buyers and sellers are also mentioned in Page No.2 of his application.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has committed no offence, as alleged and has falsely been implicated in this case. The petitioner has sold his land bearing Khata No.- 02, Khesra No.- 131 in the name of Ravindra Yadav but the *Jamabandi* of so called land in the name of grandfather Brahmadev Singh and land was in the peaceful possession of him in his life time and thereafter in the possession of petitioner and rent receipt is also in his favour.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for anticipatory bail.

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioners are named in the F.I.R. with the allegation the petitioner has sold the land to different persons by preparing fake documents. As per para-4, 5, 6, 7 of the case diary, the informant in his restatement and the witnesses have corroborated the version of F.I.R. and supported the prosecution case. As para-3 of the anticipatory bail petition and as per para-34 of the case diary, it is mentioned that the petitioner has one criminal antecedent vide Kesariya P.S. Case No. 347 of 2022. Land grabbing is on the rise in this area.

In the facts of the case as discussed above and keeping in view the nature of allegation and gravity of offence, I am not inclined to give privilege of pre-arrest bail to the petitioners. Accordingly, the prayer for anticipatory bail of petitioner, namely, **Rashbihari Singh** stands **rejected**.

(Dictated)

Sd/-

Sessions Judge
East Champaran, Motihari
21.04.2026