

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-1,**  
**EAST CHAMPARAN, MOTIHARI.**

**Anticipatory Bail Petition No. 2128 of 2026**

1. Surendra Mahto, s/o Late Ambika Mahto  
Resident of village- Hardiya, tola- Raghawta, P.S.- Raxaul, District- East  
Champaran
  2. Susil Pandey, s/o- Madhusudan Pandey,  
Resident of village- Hardiya, tola- Ratanpur, P.S. – Raxaul, District- East  
Champaran
- **Petitioners**

**VERSUS**

State of Bihar -----**Opp. Party.**

**Appearance: -**

Counsel for the accused : - Sri Anil Kumar Tiwari, Ld. Advocate.  
Counsel for the State/O.P. : -Sri Khublal Prasad, Ld. P.P.

**Date of Order: 09.06.2026**

**ORDER**

This anticipatory bail petition has been filed on behalf of the above named petitioners, who are apprehending their arrest in connection with Raxaul P.S. Case No. 631 of 2022 under section 420, 423, 465, 467, 468, 471, 474, 199, 120(B), 143, 323, 384 read with 34 of I.P.C.

Heard, the Ld. counsel appearing on behalf of petitioners and Ld. P.P. on behalf of State/O.P.

The prosecution case in brief is that the disputed land, Khata No. 8, Khasra No. 1146, located in Mauja Hardiya, Police Station Raxaul, District East Champaran, is a portion of the total Khatian area of 13 kattha 2 dhur, with an area of 1 kattha 6 dhur. The Khatian holder of the aforementioned land is Chaudhur Mahato. Chaudhur Mahato's sons and their descendants sold two lots to the complainant's father, Anvat Prasad, through registered sale deeds Nos. 10979 and 10980 dated 11.06.1963, measuring 7 kattha 11 dhur and 5 kattha 11 dhur, respectively, representing a total Khatian area of 13 kattha 2 dhur, and gave them possession. The above documents are not in accordance with the terms of this document. On the basis of this agreement, a land deed was established in the name of the complainant's grandfather, Anwat Prasad, and the complainant used to pay the land revenue

and receive receipts. Accused Surendra Mahato's father, the late Ambika Mahato, is also one of the sellers of the said documents and is the son of Khatian holder Chaudhur Mahato. Accused Sushil Pandey wanted to purchase the westward portion of the land deed, Khata No. 8, Khasra No. 1146, area 7 kattha 11 dhoor, which the complainant's grandfather had acquired through document No. 10979, but was unwilling to pay the appropriate price, due to which the complainant refused to sell the land. Consequently, the accused began conspiring to usurp the complainant's land. Accused Surendra Mahato and Sushil Pandey, through a criminal conspiracy, sold the land measuring 1 kattha 6-dhur on the west side of land measuring 7 kattha 11 dhur in Khata No. 8, Khasra No. 1146, measuring 7 kattha 11 dhur in area, which was sold by the father of accused Surendra Mahato and his family through registered sale deed document No. 10979 dated 11.06.1963. The accused Surendra Mahto had no right to sale the land as mentioned in deed no. 4414 dated 03.11.2016 in the name of accused Sushil Pandey and the accused Sushil Pandey has no right, title and possession over the same, as the said deed is void. The accused persons are conspiring to grab the land of the complainant and were also demanding Rs. 2 Lakhs as extortion. It has further been alleged that on 22.07.2018 at about 3 PM when the complainant was in his fields then both the accused persons arrived there along with 5-7 unknown persons and restrained the complainant and again demanding Rs. 2 lakhs as extortion and also assaulted him. It has also been alleged that the accused Surendra Mahto got his signature over a stamp paper by putting him in fear.

It has been submitted on behalf of the petitioners that petitioners are quite innocent and have not committed the offence. Petitioners have not preferred any regular or anticipatory bail petition before any superior Court. Petitioners have no criminal antecedent. The allegation whatsoever levelled against the petitioners are false and concocted. There is a land dispute between both the parties and both the parties are khas pattidars. Petitioners are ready to abide all the terms and conditions imposed by the court.

On other hand, Ld. Public Prosecutor appearing on behalf of State opposed the prayer for anticipatory bail.

Heard both sides and perused the record. From perusal of record it appears that the allegation against the petitioners that they have fraudulently executed a sale deed with respect to the land which has earlier been sold by the father of the accused Surendra Mahto

earlier in favour of the grandfather of the complainant and the accused persons are creating obstacle in peaceful enjoyment of the right, title and possession of the complainant by creating forged and fabricated deed and also assaulted him and demanded money as extortion. The allegation brought against the petitioners is serious in nature. This case was instituted in the year 2022 and since then the same is pending for investigation and the petitioner has evaded his appearance in this case. At this state I am of the view that the petitioner is not entitled for the relief of pre-arrest bail.

Considering the aforesaid facts and circumstances of the case, and nature and gravity of the offence alleged, I am not inclined to grant anticipatory bail to the above named accused petitioners and accordingly, this anticipatory bail petition is hereby **rejected**.

**(Dictated)**

Sd/-

**(Surendra Prasad)**  
**District & Addl. Sessions Judge-1,**  
Motihari, East Champaran.  
Dated: 09.06.2026