

The court of District & Additional Sessions Judge - 2, Muzaffarpur
A.B.P. No. 245/2026

In the matter Of :

1. Nand Kishore Rai, S/o- Ramphal Rai
R/o Village- Bhikhanpur, P.S - Ahiyapur, District- Muzaffarpur.
2. Ravindra Kumar Kushwaha, S/o-Chandramohan Prasad
R/o Village- Dhomauli Ramnath, P.S - Kanti, District- Muzaffarpur.
3. Suman Kumar, S/o- Manoj Kumar Rai
R/o Village- Shahbajpur, P.S - Ahiyapur, District- Muzaffarpur.
4. Sulabh Kumar @ Shubham Kumar, S/o- Jagarnath Jha
R/o Village- Balua, P.S - Minapur, District- Muzaffarpur.

---- Petitioners.

Vs

The State of Bihar

---- Prosecution.

(In connection with Town P.S. Case No. 508/2025)

Counsel for the petitioner : Sri, Priya Ranjan, Ld. Advocate

Counsel for the State : Sri, Ram Narayan Rai, Ld. A. P. P.

ORDER

Date : 18/05/2026

1. The above named petitioners seeks "Anticipatory Bail" in connection with **Town P.S. Case No. 508/2025** for offences punishable u/ss 318(4),338,336(3),61(2),3(5) of BNS and due to apprehension of their arrest in this case. Copy of the same to be send to Ld. Addl.P.P. on behalf of State.
2. The learned counsel for the petitioners has submitted that the petitioners are innocent and has committed no offence and he has falsely been implicated in this case and petitioner no. 1, 3 & 4 have no criminal antecedents and petitioner no. 2 had two criminal antecedent on which he is on bail. It is further submitted that the informant has negotiated to sell her land bearing Khata No. 84, Kheshra No. 2, Area 22 dec. and the petitioner no. 3 & 4 purchased the same being bonafide purchaser and sale deed no. 26423 dated 10.09.2024 was executed by the informant. It is further submitted that after further negotiation informant agreed to execute another sale deed with 2 dec. more land and a sale deed was executed on 20.09.2024. It is further submitted that the petitioners have no concern with the sale deed no. 26423 dated 10.09.2024 and they could not claim any right title interest on the basis of sale deed and the informant is falsely implicating the petitioners added the area of sale deed dated 10.09.2024 also which is not enforceable due to said defect. That the informant gave the possession of the said land to the petitioner and the said land is also mutated in the name of the said petitioners and the informant has filed false case only extort more money from the petitioners. It is further submitted that petitioner no. 2 & 3 are bonafide purchaser and petitioner no. 1 @ 4 to be deed writers. Hence, prayed for anticipatory bail.
3. On behalf of, the Ld. A.P.P. for the State has opposed the prayer for anticipatory bail.

4. That prosecution case in short is that the informant Rekha Bharti stating therein that she negotiated a deal to sell a small portion of land measuring 0.2 decimal to accused no. 1 & 2 Suman Kumar and Ravindra Kumar Kushwaha. The agreed outstanding consideration amount was Rs. 39,44,500/- which the accused promised to transfer immediately to her bank account via RTGS after the execution of the deed. Upon reaching the Registration Office, Muzaffarpur, accused no. 3 & 4 were already present at the clerk's meeting in collusion with the buyers. The accused collectively pressured her to sign the deed in a state of hurry. When she insisted on seeing the RTGS transfer confirmation before signing, they misled her by executing a mobile banking transaction upfront and falsely claimed due to bank server issue. Believing them, she signed. Later, certified copies revealed they fraudulently registered 22 decimals of land instead of the agreed 0.2 decimals. Thereafter on 20.09.2024, the accused contacted her again under the pretext of rectifying the typographical error in the first deed to ensure her money gets released. When she arrived at the Registration Office, Muzaffarpur on 18.09.2024, they explicitly threatened to take her life if she did not put down her signatures immediately. Due to fear of her life, she complied. The second fraudulent deed, executed on 20.09.2024, forcefully grabbed the remaining 24 decimals of the Khesra. Though calculated conspiracy and physical intimidation, the accused have fraudulently obtained a total of 42 decimals of land without paying a single rupee of the consideration money.
5. Having considered the submissions of rival of the parties facts and circumstances of the case, it appears that petitioner named in FIR, and the allegation against the petitioner in direct way. From perusal of the documents filed on behalf of the informant, from which it clearly shows that the deed in question the area of the land was manipulated by the beneficiary and the purchaser has not filed any proof to deposit the consideration amount mentioned in the deed to the vendor in any way. The allegation against the petitioner mentioned in the F.I.R. it's serious in nature due to grab the valuable property of the land owner. Therefore, I am not inclined to grant privilege of the anticipatory bail to the petitioner.
6. Considering the aforesaid facts and circumstances, nature and gravity of the offences, role played by the petitioners, I am of the considered opinion that the petitioners do not deserve the privilege of anticipatory bail and as such, prayer for anticipatory bail is hereby **rejected**.

Dictated

Sd/-

Additional Sessions Judge- 2nd
Muzaffarpur