

**IN THE COURT OF SESSIONS JUDGE, PATNA**

**Anticipatory Bail Petition No.725 of 2026.**

1. Sanjay Singh

2. Vijay Singh

..... Petitioners.

**Versus  
The State of Bihar**

**Order  
No.  
03      07-03-2026**

**ORDER**

1. The petitioners seek anticipatory bail in connection with **Patliputra P.S. Case No.53/2026**, registered under Sections 119(1), 308(3), 308(4), 329(3), 351(2), 352 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. Heard Sri Umesh Pathak, learned counsel for the petitioners and Sri Arvind Kumar Singh, learned Public Prosecutor for the State.
3. The prosecution case, in brief, is that the informant Nishant Singh participated in an auction conducted by Indian Bank on 26.06.2025 and emerged as the highest bidder for Flat No.101 in Prince Residency Apartment, Vivekananda Park, New Patliputra Colony. The flat, with a super built-up area of 1195 sq. ft. including car parking, was purchased for ₹71,97,000. On 03.01.2026, when the informant attempted to take possession and move in with his belongings, petitioner No.2 Vijay Singh, the former owner, locked the nearby gate and the building entrance, preventing entry. He allegedly threatened to kill the informant if he entered the premises. It is further alleged that petitioner No.2, with the assistance of petitioner No.1 Sanjay Singh, intimidated residents, locked the main door, elevator, and other entrances, and demanded ₹40 lakh in extortion for allowing the informant to reside in the flat.
4. Learned counsel for the petitioners submits that the FIR itself discloses that the flat originally belonged to petitioner No.2, Vijay Singh. It is further contended that petitioner No.1, Sanjay Singh, acquired the flat in the initial auction conducted by the bank. The dispute, therefore, essentially concerns the ownership of a property already under litigation, and the criminal proceedings have been initiated merely to impart a criminal dimension to what is otherwise a civil matter. Learned counsel emphasizes that the only non-bailable offences invoked against the petitioners are under Sections 119(1)

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**Contd....  
(07-03-2026)**

and 308(4) of the BNS. Of these, Section 119(1) alone prescribes a punishment exceeding seven years, with a maximum term of ten years. However, even if the allegations are accepted at face value, they do not disclose the ingredients of an offence under Section 119(1), nor do they constitute an offence under Section 308(4). It is also stressed that the petitioners have unblemished criminal antecedents.

5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioners.
6. Upon perusal of the case diary, it transpires that the witnesses have supported the prosecution case. The Investigating Officer has affirmed in para 31 of the case diary that the petitioners have clean criminal antecedent.
7. Having regard to the facts and circumstances of the case; the submissions of learned counsel for the petitioners, more particularly with regard to the allegation vis-a-vis nature of offence, as well as that this appears to be a civil dispute being given a criminal cloak; and the petitioners' clean antecedents, the prayer for anticipatory bail of the above-named petitioners is **allowed**. It is ordered that in the event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the above-named petitioners shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned court below subject to the conditions as laid down u/s 482(2) of B.N.S.S.

(Dictated)

Sd/-

**(Rupesh Deo)  
Sessions Judge, Patna**

Date of Judgment/Order	07-03-2026
Date of Reserving Judgment/Order	NA
Uploading Date	07-03-2026
Uploaded by	Amjad/-