

**COURT OF DISTRICT & ADDL.
SESSIONS JUDGE-IV, BARH (PATNA)**

ABP No. 148 of 2026

Arising out of Bhadaur P.S. Case No. 09 of 2026
(u/s 318(4), 336(2), 338, 336(3), 329(3) r/w 3(5) BNS)

(1) **Baidy Nath Ojha** S/o: **Ram Naresh Ojha** a/a : 66 Years
(Resident of Village: Pitaunjhiya, P.S. : Bhadaur, District: Patna)

(2) **Mahesh Kumar** S/o: **Mutthi Ray @ Muddi Ray** a/a : 57 Years
(Resident of Saroj Bhawan, Court Area Barh, PO & P.S. : Barh, District: Patna)Petitioners

Vs.**Opposite Party (O.P)**

The State of Bihar

For the petitioners : **Sri Vijay Kumar & Sri Sanjeev Kumar, Ld. Advocates**
For the O.P.(State) : **Sri Bhupendra Paswan, Ld. Addl. Public Prosecutor**

ORDER

PRESENT: SRI SHAILENDRA KUMAR SINGH, ASJ-IV

22/04/2026

1. A petition dated **13/02/2026**, for grant of anticipatory bail filed on behalf of above named accused petitioners, who are apprehending their arrest in connection with **Bhadaur P.S. Case No. 09 of 2026**, for the alleged have committed offences punishable u/s 318(4), 336(2), 338, 336(3), 329(3) r/w 3(5) BNS, pressed today. A copy of bail petition has already been served to the Ld. APP.

2. Heard, Ld. Counsel for the petitioners as well as Ld. Addl. Public Prosecutor (APP), appearing on behalf of the State.

3. Prosecution case, in brief, as per written report of **Farjana Khatoon**, is that her husband Late Abdul Rakib got certain land from his maternal uncle Late Md. Ibrar through registered *Hibbanama* in the year 2003. After death, she was coming on peaceful possession of the said lands. In the year 2018, Md. Sarbar illegally got the land entered into Registered-2 of revenue department. Thereafter, Md. Sarbar sold the land to various criminals, who are cultivating on the same by taking possession.

4. At Para- 2 & 3 of the bail petition, certificate has been given by petitioners that earlier no regular or anticipatory bail either before Ld. Court of Sessions or before Hon'ble High Court has been filed, nor any bail application is pending before any Court. Petitioners have **no** criminal antecedent. From perusal of the documents of informant, purely it is a case of civil nature, for which informant has filed civil suit. The petitioners have purchased the land on payment of consideration money. Petitioners are ready to furnish bail bond with sound sureties & obey each and every conditions imposed by Court, if bail is granted.

5. Ld. A.P.P. appearing on behalf of State opposed the prayer of petitioners for anticipatory bail.

Cont'd.../-

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22/04/2026 (Cont'd/-.....)

6. Trial Court Record (T.C.R) & Case Diary (CD) have been received. Heard, rival contentions of both the parties and perused the record. From perusal of record, it transpires that there is allegation against accused petitioners that they have purchased the land of **informant Farjana Khatoon** from one Md. Sarbar. From perusal of documents, it reveals that these petitioners have purchased the land in dispute from Md. Sarbar, who is getting rent receipt of the said land and as per version of Farjana Khatoon (informant) the said land is entered in the Registered-2 on the name of Md. Sarbar. Farjana Khatoon (informant) has also filed Title Suit No. 20/2023 against the petitioners, regarding the land in dispute. This case is related to land dispute and which is of civil nature.

7. Considering the aforesaid facts & circumstances, **prayer of anticipatory bail** of all above named petitioners, are *hereby allowed*. Accordingly, in the event of their arrest or surrender before the Ld. Trial Court **within four weeks from the date of receipt of the copy of this order**, petitioners are directed to be released on bail on furnishing bail bond of **Rs. 10,000/- (Ten thousand) each with two sureties** of the like amount each to the satisfaction of the Ld. Trial Court, subject to conditions as laid down u/s 482(2) BNSS. **Further condition that (a) One of the Bailor shall be family member/close relative, (b) They will co-operate in the investigation of this case.** Observations/findings made above is only restricted for disposal of this bail petition and it will not effect the merit of case during investigation, enquiry & trial case. Let the copy of this order be sent to the concerned Trial Court.


Dictated & Corrected

 22/4/2026

(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)

Memo No. 544 Dated 23 April, 2026

Copy forwarded to : The Court of Md. Khusboo Anand, JMFC, Successor, Barh for needful.

 22/4/2026
(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)

Date of Judgment/Order	22-04-2026
Date of Reserving Judgment/Order	22-04-2026
Uploading Date	23-04-2026
Uploaded by	Penishankar Sero