

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 1784 of 2026

Bhola Prasad Saw, aged about 50 years, S/o Late Dilip Saw, R/o Vill.- Ratu,
Aamtanr, P.O. Ratu, P.S. Ratu, Dist.- Ranchi **... Petitioner**

-Versus-

The State of Jharkhand

... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	: Mr. Rajiv Kumar, Advocate Mr. Niraj Kumar Singh, Advocate
For the State	: Mrs. Anuradha Sahay, A.P.P.
For the Informant	: Mr. Ajay Kumar Sah, Advocate

07/23.06.2026 Heard learned counsel appearing for the petitioner, learned counsel appearing for the State and learned counsel appearing for the informant.

2. The petitioner is apprehending his arrest in connection with Ratu P.S. Case No.306/2025, registered for the offence under Sections 316, 318, 338, 336(3), 340 and 3(5) of the BNS, pending in the Court of the learned Judicial Magistrate, Ranchi.

3. Learned counsel appearing for the petitioner submits that the matter is arising out of an agreement of sale and purchase dated 05.03.2011. He further submits that the suit has also been instituted by the informant, which is pending. He then submits that the suit value of the land is said to be Rs.32 Lakhs only, whereas, the allegation in the FIR is made of more than Rs.1 Crore. On these grounds, he submits that anticipatory bail may kindly be granted to the petitioner.

4. Learned counsel appearing for the State and informant jointly

opposed the prayer and submit that the petitioner and Baiju Prasad Soni are brothers and both have manipulated the Power of Attorney and anticipatory bail application of the said Baiju Prasad Soni has been rejected by this Court in A.B.A. No.7034 of 2025, vide order dated 06.02.2026. They next submit that in the in para 23 of the case diary, manufacturing part has also come. They also submit that the Power of Attorney was given only for negotiation and taking care of the land in question and it was stated in the Power of Attorney itself that so far as the sale is concerned, that will be done by the land owner himself. On these grounds, they submit that the prayer for anticipatory bail may kindly be rejected.

5. The Power of Attorney is annexed with the petition and it has been stated therein that so far as the sale of the land is concerned, that will be done by the informant himself, who is the land owner. In para 23 of the case diary, it has come that manipulation has been done in the Power of Attorney and, thereafter, the land has been sold by this petitioner to Baiju Prasad Soni, who happened to be brother of this petitioner. There is direct connivance of both the persons. The anticipatory bail application of Baiju Prasad Soni has been rejected by this Court in the aforesaid A.B.A. There is no doubt that if in the suit, the nature of allegation is civil, criminal cases are not warranted, however, there is allegation of manipulating the Power of Attorney for selling the land and the land has also been sold to his own brother and this fact has also come in para 23 of the case diary and in that situation if the criminality is made out, criminal case can be maintained and in view of material, criminality is made out against the

petitioner. In the attending facts and circumstances of the case, I am not inclined to extend the privilege of anticipatory bail to the petitioner and, as such, his prayer for anticipatory bail is, hereby, rejected.

6. Accordingly, this application is dismissed.

(Sanjay Kumar Dwivedi, J.)

Dated: 23rd June, 2026
Ajay/