

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11333 of 2025

Arising Out of PS. Case No.-406 Year-2024 Thana- SAUR BAZAR District- Saharsa

1. Amrendra Yadav Son of Yogendra Yadav @ Jogi Yadav Resident of Village - Sahuriya Purvi, P.S. - Saur Bazar, District - Saharsa
2. Punam Devi @ Poonam Devi Wife of Amrendra Yadav Resident of Village - Sahuriya Purvi, P.S. - Saur Bazar, District - Saharsa
3. Yogendra Yadav @ Jogi Yadav Son of Late Panchi Yadav Resident of Village - Sahuriya Purvi, P.S. - Saur Bazar, District - Saharsa
4. Nitu Devi @ Nitoo Devi Wife of Anmol Yadav Resident of Village - Sahuriya Purvi, P.S. - Saur Bazar, District - Saharsa
5. Anmol Yadav Son of Yogendra Yadav @ Jogi Yadav Resident of Village - Sahuriya Purvi, P.S. - Saur Bazar, District - Saharsa
6. Sangita Devi Wife of Pramod Yadav Resident of Village - Sahuriya Purvi, P.S. - Saur Bazar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 10-06-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sour Bazar PS case no. 406 of 2024 dated 16.07.2024, disclosing offences punishable under Section 126(2) and other allied sections of the B.N.S.S. 2023.
3. At the outset, learned counsel for the petitioners submits that petitioner no. 3 Yogendra Yadav @ Jogi Yadav has been arrested during pendency of this petition, as such, the present petition has become infructuous *qua* petitioner no. 3.



4. Accordingly, the present petition *qua* petitioner no. 3 is dismissed as having become infructuous.

5. It is pertinent to mention here that the bail application *qua* petitioners no. 4 and 6 has already been withdrawn. Accordingly, the present petition survives only for petitioners no. 1, 2 and 5.

6. The prosecution story, as per the First Information Report, is that informant Bechan Yadav has alleged that his elder brother namely Yogendra Yadav @ Jogi Yadav, in conspiracy with other accused persons, sold the informant's land to his daughters-in-law namely Punam Devi (petitioner no. 2), Sangita Devi (petitioner no. 6) and Nitu Devi (petitioner no. 4) through registered sale deed no. 3426 dated 27.02.2024 on the basis of forged documents.

7. Learned Counsel for the petitioners no. 1, 2 and 5 submits that petitioner no. 1 is the witness of the sale deed, petitioner no. 2 is the bonafide purchaser and petitioner no. 5 is also a witness to the sale deed. He further submits that there is a dispute of title between the family members, inasmuch as co-accused Yogendra Yadav has sold the family property/ land and the informant is claiming his title over the land. He further submits that there is civil dispute between the brother and it has



been given the colour of criminal case. He also submits that co-accused Santosh Kumar, who is an identifier of the sale deed, has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.05.2025, passed in Cr. Misc. No. 23094 of 2025.

8. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that accused persons, in conspiracy with each other sold the land, which is falling in the share of the informant, in favour of the petitioner no. 2 and other purchasers, who are daughters-in-law of co-accused Yogendra Yadav.

9. Having considered the rival submissions, nature of allegation and the fact that both parties are closely related and the allegation is based upon the documents and also considering the fact that identifier Santosh Kumar has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.05.2025, passed in Cr. Misc. No. 23094 of 2025, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners no. 1, 2 and 5, abovenamed, in the event of their arrest or surrender before the Court below within



six weeks, 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 learned A.C.J.M.-II, Saharsa in connection with Sour Bazar PS case no. 406 of 2024, subject to the condition laid down under Section 482(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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