

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8008 of 2025

Arising Out of PS. Case No.-472 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Vijay Kumar @ Vijay Thakur S/O Raja Ram Thakur R/O Gohdwa, PO and
PS- Muffasil, East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vagisha Pragya Vacaknavi, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 318(4),
316(2), 338, 336(3) and 61(2) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his son is unmarried as he is a person with dull
mind, accordingly, the accused persons taking advantage of his
mental condition assured him that they will get him married and
thereafter purchased the land of his share by two sale deeds.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is not the purchaser of the land rather had put his signature as a witness and identifier on the second sale deed. It is next submitted that petitioner is a Panchayat Teacher. It is also submitted that the informant instead of instituting the instant FIR ought to have moved before a Court of competent civil jurisdiction for getting the sale deeds cancelled if the same was executed by his son under duress but then from the allegation as alleged in the FIR, it manifests that the informant has not filed any application seeking cancellation of the sale deeds rather has instituted the instant criminal case in order to coerce the purchasers and person like petitioner into submission.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the informant instead of instituting a criminal case ought to have moved before a Court of competent civil jurisdiction for getting the sale deeds cancelled.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Motihari Mufassil P.S. Case No. 472 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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