

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16381 of 2025

Arising Out of PS. Case No.-3078 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Kalawati Devi W/O Bhikhari Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 2. Dinanath Prasad S/O Bhikhari Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 3. Meghnath Prasad @ Meghnath Mahato S/O Bhikhari Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 4. Shesh Kumar @ Shesh Nath Kumar S/O Bhikhari Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 5. Janak Prasad S/O Yamuna Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 6. Ankit Kumar S/O Janak Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 7. Rambha Devi W/O Janak Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.
 8. Rajan Prasad Kushwaha S/O Moti Lal Prasad Resident of Village- Sataha, P.S- Paharpur, District- East Champaran.
 9. Ramdei Devi W/O Late Yamuna Prasad Resident of Village- Mangurahan, P.S- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyanarayan Prasad S/O Late Yamuna Prasad R/O Village- Mangurahan, P.S-Paharpur, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Adv.
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP
For the Complainant	:	Mr. Pramod Kumar Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-09-2025 1. Heard learned counsel for the petitioners, learned

A.P.P. for the State and the learned counsel appearing on behalf

of the complainant.



2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 323 and 504 of the Indian Penal Code.

3. The case was taken up on 23.07.2025 when the learned counsel appearing on behalf of the complainant has sought three weeks' time for filing a counter affidavit, but the same till date has not been filed.

4. The Court will not wait endlessly for the counter affidavit.

5. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he purchased land from Smt. Ram Pati Devi and Gangajali Devi vide sale deed dated 23.01.1984, further alleges that Kalawati Devi and Janak got the land of the complainant registered in the name of their sons, further on the sale deed 19.05.2023, Ranjan and Ramdei are identifier, it is next alleged that accused persons tried to capture the land of the complainant and assaulted his family members.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is next submitted that from perusal of the allegation as alleged in the complaint, it would manifest that the



dispute is purely civil to which a criminal colour has been given. It is next submitted that if the complainant is aggrieved by execution of the sale deed dated 19.05.2023, in that event the complainant has a remedy of approaching a Court of competent civil jurisdiction for getting the sale deed cancelled where the petitioners will also get an opportunity to appear and rebut the claim of the complainant, but then a criminal case came to be instituted with a view to coerce the petitioners into submission.

7. Learned A.P.P. for the State and the learned counsel appearing on behalf of the complainant opposes the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that in the event if the complainant is aggrieved by execution of the sale deed dated 19.05.2023, in that event the complainant has a remedy of approaching a Court of competent civil jurisdiction for getting the sale deed cancelled.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. C-3078 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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