

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18845 of 2025

Arising Out of PS. Case No.-25 Year-2015 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Most. Kaili Devi, W/O Late Tanuk Mandal, Resident of Mohalla- Madhepura, Ward No.- 10, Kewat Tola, P.S and District- Madhepura.
 2. Ramesh Mandal @ Ramesh Kumar Mandal, S/O Late Tanuk Mandal, Resident of Mohalla- Madhepura, Ward No.- 10, Kewat Tola, P.S and District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dayashankar Rai, S/O Late Shyamsundar Rai, R/O Moh.- Adarshnagar Ward No. 8, P.S and Distt.- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2025 Heard Mr. Barun Kumar Singh, learned counsel for the petitioners and Mr. Surendra Prasad Singh, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Complaint Case No. 25 of 2015 instituted for the offence under Sections 323, 504, 447, 464, 467, 468/34 of the Indian Penal Code.

3. The case of the prosecution is that the land of the complainant was transferred by a sale deed executed by Kaili



Devi in favour of Prashant Mandal and Suman Saurav through a registered sale deed. It is further alleged that on 22.11.2014 the accused persons put soil on the land of the complainant for which cognizance has been taken under Sections 323, 504, 447, 464, 467 and 468 of the I.P.C.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It has further been submitted that one of the petitioners Most. Kaili Devi is aged about 82 years. Their anticipatory bail petition was earlier rejected by the trial Court on 06.06.2018. This case is based on complaint. The petitioners have delayed much in coming to the Court for seeking bail. From perusal of the order of the trial Court/impugned order, it transpires that only non-bailable warrant has been issued against the petitioners. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The



petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Complaint Case No. 25 of 2015, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Madhepura, subject to the conditions as laid down under section 438(2) of the Cr.P.C. **with the condition that the petitioners shall remain physically present in the Court on each and every date.**

(Ashok Kumar Pandey, J)

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