

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21606 of 2025**

Arising Out of PS. Case No.-225 Year-2024 Thana- PARBATTa District- Bhagalpur

1. Krishna Kumar @ Kanhaiya Kumar S/O Sahdev Sharma @ Tatma @ Sahdev Tatma R/O Village- Tulshipur, P.S- Kharik, Distt.- Bhagalpur at present residing at Village- Sadhopur, P.S- Rangra, Distt.- Bhagalpur.
2. Rajesh Kumar @ Rajesh Sharma S/O Sahdev Sharma @ Tatma @ Sahdev Tatma R/O Village- Tulshipur, P.S- Kharik, Distt.- Bhagalpur at present residing at Village- Sadhopur, P.S- Rangra, Distt.- Bhagalpur.
3. Pawan Kumar S/O Sahdev Sharma @ Tatma @ Sahdev Tatma R/O Village- Tulshipur, P.S- Kharik, Distt.- Bhagalpur at present residing at Village- Sadhopur, P.S- Rangra, Distt.- Bhagalpur.
4. Chhotu Kumar S/O Sahdev Sharma @ Tatma @ Sahdev Tatma R/O Village- Tulshipur, P.S- Kharik, Distt.- Bhagalpur at present residing at Village- Sadhopur, P.S- Rangra, Distt.- Bhagalpur.
5. Ramesh Kumar S/O Sahdev Sharma @ Tatma @ Sahdev Tatma R/O Village- Tulshipur, P.S- Kharik, Distt.- Bhagalpur at present residing at Village- Sadhopur, P.S- Rangra, Distt.- Bhagalpur.
6. Sahdev Sharma @ Tatma @ Sahdev Tatma S/O Late Chano Sharma R/O Village- Tulshipur, P.S- Kharik, Distt.- Bhagalpur at present residing at Village- Sadhopur, P.S- Rangra, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar, Advocate  
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      29-04-2025                      Learned counsel for the petitioners submits that petitioner no. 6 namely Sahdev Sharma @ Tatma @ Sahdev Tatma has been arrested, accordingly, this petition has become infructuous. Learned counsel seeks permission to withdraw the application on behalf of petitioner no. 6.

**2. Permission is accorded.**



3. This bail application on behalf of petitioner no. 6 stands dismissed as having become infructuous.

4. Heard learned counsel for the petitioner nos. 1 to 5 and learned A.P.P. for the State.

5. The petitioner nos. 1 to 5 apprehend their arrest in connection with Parbatta P.S. Case No. 225 of 2024 instituted under Sections 126(2), 115(2), 303(2), 308(2), 308(3), 324(4), 329(4), 352, 351(2), 351(3), 3(5) of the Bhartiya Nyaya Sanhita.

6. As per the prosecution case, the informant had purchased the land in question and she is in possession of the said land. It is alleged against the petitioners that they demanded Rs. 5,00,000/- and threatened the informant. They also cut the Mahogani tree on the land in question, causing heavy loss to the informant.

7. Learned counsel for the petitioner nos. 1 to 5 submits that petitioners are innocent and have falsely been implicated in this case. The land in question was purchased by the mother of petitioner nos. 1 to 5 through registered sale deed from Chano Tatma on 05.02.1998 and after the purchase, the petitioners are in possession of the land in question, however, the informant disputed the same in B.L.D.R. Case No. 16/2012-13. Learned D.C.L.R., Naugachia declared the possession of the mother of petitioner nos. 1 to 5 upon the land in question and with *malafide*



the informant has lost this case. Learned counsel further submits that the dispute between the parties is civil in nature. Petitioner nos. 1 to 5 are own brothers and have been implicated in this case due to ulterior motive. Petitioner nos. 1 and 5 have one criminal antecedent, petitioner no. 2 has two criminal antecedents whereas petitioner nos. 3 and 4 have clean antecedent and they undertake to cooperate in the investigation and trial.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner nos. 1 to 5 be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate 3<sup>rd</sup>, Naugachia in connection with Parbatta P.S. Case No. 225 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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