

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21991 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

1. Chanda Kumari D/O Vimal Kumar, W/O Kanhaiya Kumar Resident of Village- Pethiya Gachi Tola, Ward no. 4, Post- Nayangar, P.S- Teghra, District- Begusarai.
2. Kanhaiya Kumar S/O Ganesh Prasad Singh Resident of Village- Pethiya Gachi Tola, Ward no. 4, Post- Nayangar, P.S- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the Informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Begusarai Town P.S. Case No. 120 of 2024, lodged on 23.02.2024, under Sections 467/468/471/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged by the informant alleging that the petitioners have already partitioned the joint property and subsequently sold the share of the



informant, in spite of the fact that in the joint property there is no land left and by committing forgery, they have sold the said land and it is due to this reason the criminal case has been lodged.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that antecedents of the petitioners are clean. He submits that admittedly petitioner No.1 and the informant are the coparceners. They belong to the same common ancestor. Counsel submits that in this regard Title Suit No.46/40 of 2024 is pending in which petitioner No.1 is the party respondent No.1. Counsel further submits that in the title suit which is annexed in the present application, Schedule-A the genealogical table is attached. From the genealogical table, it becomes crystal clear that the informant comes from the Branch of Ramdeo Kunwar whereas petitioner No.1 comes from the Branch of Kitar Kunwar and both are heirs of Dhari Kunwar.

5. Learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that the fraud has been committed by petitioner No.1 and she sold the property which does not belong to her.

6. Learned APP for the State opposes the prayer for



bail of the petitioners but submits that from Annexure-A it transpires that both are heirs and legal representative of the common ancestor Chandi Kunwar.

7. In the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Begusarai, in connection with Begusarai Town P.S. Case No. 120 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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