

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25544 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- BEERPUR District- Begusarai

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1. Bindeshwari Mahto Son of Tarni Mahto R/O Vill- Nonpur, P.S.- Teghra, District- Begusarai
 2. Mahesh Kumar Son of Ram Naresh Mahto R/O Vill- Nonpur, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Govind Mahto, S/o Late Ramdhari Mahto, R/o- Vill-Pakri P.s. Beerpur, Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 417, 419, 420, 465, 467, 468, 471, 504, 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that from perusal of office report dated 16.10.2025, it would manifest that notice on behalf of the O.P. No.2 has been received by her daughter-in-law, after telephonic conversation with O.P. No.2. It is thus submitted that since daughter-in-law received the notice on behalf of the O.P. No.2 after the O.P. No.2 was informed, as such the notice is deemed to be validly



served.

4. The Court finds merits in the submission of the learned counsel appearing on behalf of the petitioners and thus it is held that notice is validly served.

5. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that petitioner no.1 is husband of Sabita Devi, who is purchaser of the land in dispute and petitioner no.2 is an identifier on the sale deed. It is further submitted that a purely civil dispute has been given a criminal colour. It is next submitted that complainant (Govind) was married to Ruma Devi and out of the wedlock, he had three children, namely Mamta, Samta and Bipin. It is next submitted that complainant/informant in the F.I.R. though accepts that he was married to Ruma but then alleges that he had only two daughters namely Mamta and Samta and concealed the fact that he has a son namely Bipin. It is next submitted that Sabita purchased the land in question from Bipin by a sale deed executed in the year 2019 and thereafter in the year 2023 she sold the land to Raja by a registered sale deed dated 20.12.2023, on which, Dinesh was a witness. The learned counsel thus submits that if the informant is aggrieved by the fact that Sabita had purchased the land in



dispute from Bipin, who had not authority to sell the land, in that event, informant has a remedy of approaching a Court of competent civil jurisdiction for getting the sale deed executed in favour of Sabita cancelled but instead of resorting to remedy available in law, the instant criminal case has been instituted only with a view to coerce the accused persons including the petitioners into submission.

6. The learned APP opposes the anticipatory bail application of the petitioners.

7. 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 Court below 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 learned trial court where the case is pending/successor court in connection with Complaint Case No.392/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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