

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22584 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- Marnga District- Purnia

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1. Raja Kumar S/o Late Pradeep Mehta R/o vill- Kabaiya ward no. 06, PS-K.hat, Maranga, District- Purnea
 2. Hemant Kumar S/o Late Pradeep Mehta R/o vill- Kabaiya ward no. 06, PS-K.hat, Maranga, District- Purnea

... .. Petitionerss

Versus

1. The State of Bihar
2. Anita Devi W/o Sri Dilip Kumar Mehta R/o vill - Gadhiya Balua, P.s.- K. Nagar, Distt.- Purnea

... .. Opposite Parties

Appearance :

For the Petitioners/s : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 30-04-2025 Heard learned counsel for the Petitioners and
learned APP for the State.

2. The Petitioners seek bail, apprehending their arrest, in connection with Marnga P.S. Case No. 07 of 2025, dated. 08.01.2025 registered for the offences punishable under Sections 318(4), 336(2), 336(3), 340(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. The informant and the co-accused persons are family members and as per the allegation, the accused persons including the Petitioners have forged one affidavit in the name of the informant and himself, showing that they have given consent to dispose of the family property by the accused persons to anybody else and hence, they have executed sale deeds in



favour of his wife as well as others.

4. Learned counsel for the Petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact, they have not forged any affidavit and they have executed the sale deed in regard to the property which belongs to them. He further submits that the alleged facts and circumstances constitutes dispute of civil nature and the a title suit bearing no. 200 of 2024 is also pending in the Court of learned Sub-Judge-I, Purnea. He further submits that similarly situated co-accused has already been enlarged on bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 20533 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the Petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the Petitioners have no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the Petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each, with two sureties of the like amount each to the satisfaction of learned Concerned Court Below, in connection with Marnga P.S. Case No. 07 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the Petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the Petitioners after hearing them and getting satisfied that the Petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the Petitioners.

(Jitendra Kumar, J)

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