

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45287 of 2025**

Arising Out of PS. Case No.-1258 Year-2023 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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1. Sima Devi @ Sita Devi W/o- Raj Kishore Singh Village- Madhubani P.S- Sahebganj Dist- Muzaffarpur
  2. Saroj Devi W/o- Navin Singh Village- Khokhara Ps- Kalyanpur Dist- East Champaran
  3. Vivek Kumar S/o- Navi Kumar Village- Khokhara Ps- Kalyanpur Dist- East Champaran
  4. Nandini Kumari S/o- Navi Kumar Village- Khokhara Ps- Kalyanpur Dist- East Champaran
  5. Awadhesh Tiwari S/o- Late Chandra Dev Village- Khokhara Ps- Kalyanpur Dist- East Champaran
  6. Ramdeo Ram S/o- Late Chandra Dev R/o- Shambhuchak Ps- Kalyanpur Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumar S/o- Late Rampukar Singh R/V- Kotwa Ps- Kotwa Dist- East Champaran

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s | : | Ms. Ginni Priya. Advocate |
| For the State        | : | Mr. Braj Kishore Pd., APP |

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      16-07-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Tr. No. 2158 of 2025, arising out of East Champaran Complaint Case No. C-1258 of 2023, registered for the offences punishable under Sections 323, 379, 385, 420 and 506/34 of the Indian



Penal Code.

3. As per allegation, the land belonging to the complainant/Manish Kumar has been sold by Sima Devi in favour of Saroj Devi, claiming that the land as her own. Co-accused Ramdeo Ram is a witness to the sale-deed, whereas co-accused, Awadesh Tiwari is an identifier to the seller and purchaser.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. She further submits that the land in question belongs to Sima Devi and she has sold this land to Saroj Devi for valid consideration and at the time of sale-deed, co-accused, Ramdeo Ram was a witness and Awadesh Tiwari was an identifier. She further submits that other allegation against Vivek Kumar and Anil Kumar are superficial in nature and intended to give criminal colour to the dispute of civil nature. As a matter of fact, the whole alleged facts and circumstances constitute no offence and at most, it is a dispute of civil nature.

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



petition that the petitioners have no criminal antecedents.

7. 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 East Champaran Complaint Case No. C-1258 of 2023, 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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