

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44670 of 2025

Arising Out of PS. Case No.-17 Year-2023 Thana- NAUTAN District- West Champaran

1. Sipahi Yadav S/o- Balkishun Yadav Resident of Vill-Maduaha, P.S- Nautan, Dist- West Champaran
2. Smt. Sonia Devi W/o- Sipahi Yadav Resident of Vill-Maduaha, P.S- Nautan, Dist- West Champaran
3. Prabhu Yadav @ Prabhu Kumar Yadav S/o- Kashi Yadav Resident of Vill-Maduaha, P.S- Nautan, Dist- West Champaran
4. Yogi Yadav S/o- Late Vimal Yadav Resident of Vill-Maduaha, P.S- Nautan, Dist- West Champaran
5. Surendra Yadav S/o- Babu Ram Yadav Resident of Vill-Banhaura, P.S- Nautan, Dist- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP

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 Nautan PS. Case No-17 of 2023 Dated-09.01.2023, registered for the offences punishable under Sections 420/ 467/ 468/ 471/ 120B of the Indian Penal Code.

3. As per allegation, the co-accused, Anjali Kuwar has sold a strip of land belonging to the Complainant/Informant in favour of the petitioners Sonia Devi, Yogi Yadav and Prabhu Kumar Yadav, whereas the Petitioner no. 5, Surendra Yadav is



witness to the sale deed and the petitioner Sipahi Yadav is the husband of the co-accused, Sonia Devi.

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 per the alleged facts and circumstances, no offence is made out. At most, it is a case of Civil Dispute because as per the claim of the co-accused, Anjali Kuwar the land she sold to the accused persons belongs to her and the purchaser of the land have purchased property after payment of the consideration amount, and hence, no offence is made out against the informant.

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 petitioner no.1 has been made accused in five other cases whereas the petitioner nos. 2, 3, 4 & 5 have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner 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 Nautan PS. Case No-17 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 other than the disclosed one, 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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