

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51475 of 2024**

Arising Out of PS. Case No.-510 Year-2022 Thana- SAHARSA COMPLAINT CASE  
District- Saharsa

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1. Neelam Devi W/o Prabhu Narayan Thakur R/o vill - Chainpur, P.s. - Bangaon, Distt. - Saharsa
  2. Lalan Kumar Thakur S/o Prabhu Nrayan Thakur R/o vill - Chainpur, P.s. - Bangaon, Distt. - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dayanand Thakur S/o Kulanand Thakur R/o vill - Chainpur, P.S. - Bangaon, Distt. - Saharsa

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Prafull Chandra Thakur, Advocate |
| For the State        | : | Mr. Rabindra Kumar, APP              |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

5      07-02-2025                      Heard the parties.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 510c/2022 for the offence under Sections 406 and 120-B of the Indian Penal Code lodged by the complainant Dayanand Thakur.

3. Earlier with the consent of the parties, the matter was sent to the Mediation Centre on 10.01.2025 but the report dated 29.01.2025 shows that the Mediation process failed.

4. Learned counsel for the petitioners submit that he is ready to abide by any condition put forward by the complainant who is elder uncle of the petitioner no.2 and will



see to it that he is happy.

5. The prosecution story is that the two brothers purchased a piece of land but through four sale deeds the petitioners got it alienated. A Title Suit No. 185 of 2021 is going on between them 'too'. One of the petitioner is a lady aged 61 years, the other is 26 years old, and an undertaking has been given by the petitioner no.2 (Lalan Kumar Thakur) that he is ready to do all the needful to placate his uncle.

6. As there is no one representing the complainant, interim relief was already granted to the petitioners, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. It is expected that the petitioner shall abide by the submissions put forward on their behalf by the learned counsel and see to it that the family comes to an amicable settlement. Failure to abide by the undertaking, the complainant shall have the liberty to prefer appropriate petition against the petitioners.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in



connection with Complaint Case No. 510c/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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