

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47391 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Lalmunesh Sah Son of Late Rajendra Sah R/O Village - Barwa, P.S.- Majhauliya, District - West Champaran.
2. Dina Sah Son of Late Ramjatan Sah R/O Village - Barwa, P.S.- Majhauliya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Majhauliya P.S. Case No. 111 of 2025, registered for the offences under Sections 318(4), 316(2), 336(1), 335, 336(2), 338, 308(3), 61(2) of the BNS.

3. As per the prosecution case, a portion of land gifted to the complainant/informant by his father and grandmother was sold to coaccused Hiralal Sah by own brother of the complainant/informant showing father of the complainant/informant to be deed. The petitioners are identifier and witness, respectively on the sale deed.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are neither vendors nor vendees and they are merely identifier and witness of the sale deed. They have nothing to do with claim and counter claim over the disputed land. The case arises out of land dispute and it has been given a criminal colour. The petitioner no. 2 is having antecedent of one case and petitioner no. 1 is having clean antecedent. The petitioners are in custody since 28.05.2025.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that one of the petitioners is brother of the co-accused who purchased the land and they are also involved in the forgery.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the role of the petitioners which is merely identifier and witness on the sale deed and also considering period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the



satisfaction of learned C.J.M., Bettiah/concerned court, in connection with Majhauriya P.S. Case No. 111 of 2025, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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