

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54893 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- CHAKIA District- East Champaran

Sabara Khatun wife of Late Md. Habib @ Md Habib Ansari Village-
Gawandra tola Ramdiah, Ps- Chakia, dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Singh son of Late Shivmangal Singh Village- Gawandra tola
Ramdiah, Ps- Chakia, dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-08-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending her arrest in connection with Chakia P.S. Case no. 67 of 2025 registered for the offence punishable under sections 318(4), 338, 336(3), 340(2), 61(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that the land in question which falls in his share, has illegally been sold by executing a registered sale deed by Kunal Kishore in favour of the petitioner.

4. Learned counsel for the petitioner referring to the genealogical table brought on record as annexure to the bail petition submits that both Kunal Kishore as also the informant belong to the same family with the common ancestor being one



Late Manorath Rai. Accepting the allegations levelled in the FIR, the same is clearly a civil dispute, relating to share in the joint family property between agnates. So far as the petitioner is concerned, she is a 71 year old lady and an outsider to the family. She has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the contents of the genealogical table brought on record from which it transpires that both the vendor of this petitioner as also the informant belong to the same joint family together with the petitioner being a 71 year old lady having no criminal antecedent, it is directed that the petitioner above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Chakia P.S. Case no.67 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran, Motihari.

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(Partha Sarthy, J)

