

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54274 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- BANIAPUR District- Saran

1. Hira Mani Devi @ Smt. Hira Mani Devi W/O Chandra Mohan Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
2. Chandra Mohan Mishra S/O Late. Vashist Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
3. Ashok Mishra S/O Late Badan Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
4. Anirudh Mishra S/O Late Prabhu Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
5. Ram Adhar Mishra S/O Late Chandeshwar Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
6. Surya Mohan Mishra S/O Late Vashist Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
7. Harihar Mishra S/O Late Shiv Jee Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar
8. Pashupati Mishra S/O Late Vashist Mishra Resident of Ward No. 6, Harpur Karah, P.S.- Baniyapur, Dist.- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhijeet Abhigyan, Advocate
For the State	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mr. Harsh Anuj, Advocate
		Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-08-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 338, 336(3), 340(2), 318(4) and 61 of the B.N.S..



3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, fraudulently sold the land of informant by impersonating one Banti Kumar Mishra as son of late Brij Mohan Mishra. As a matter of fact, informant, namely Shobha Devi, is the only daughter and legal heir of late Brij Mohan Mishra and she has no other brother or sister.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, Petitioner No. 1 is purchaser, Petitioner No. 2 is husband of Petitioner No. 1 and Petitioner Nos. 3 to 8 are witnesses of the sale deed in question. As a matter of fact, co-accused Banti Kumar Mishra, who executed the sale deed in favour of Petitioner No. 1, is the only son of late Brij Mohan Mishra. It is further submitted that dispute is with regard to sale and purchase of land, which is purely civil in nature and in this regard, informant has also filed a title suit for declaration of the sale deed in question as null and void.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



6. Considering the facts and circumstances of the case and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. First Class, Saran at Chapra in connection with Baniyapur P.S. Case No. 36 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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