

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56911 of 2025

Arising Out of PS. Case No.-507 Year-2024 Thana- RAJAPAKAR District- Vaishali

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1. Sundari Devi W/O Late Babulal Singh R/O Village- Mirzanagar, P.S.- Mahua, District- Vaishali
 2. Shrawan Kumar S/O Late Babu Lal Singh R/O Village- Mirzanagar, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra Ojha, Advocate
For the State : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Learned counsel for the petitioner prays for and is allowed to correct the age of the petitioner no.1 or 2 in course of the day.

2. Heard the parties.

3. The petitioners are apprehending their arrest in connection with Rajapakar P.S. Case No. 507 of 2024 registered for the offence under Sections 316(2), 319(2), 318(4) and 61 of the B.N.S., lodged on 24.12.2024 by the informant, Mukesh Kumar Singh.

4. As per the prosecution story, the informant alleged that they are agnates and in the year 1968, they executed a sale deed which accordingly belong to them, the F.I.R.



5. Learned counsel for the petitioners submit that after decades, the F.I.R. has been lodged for which already a Title Suit No. 1356 of 2023 is pending before a competent civil court. They are already appearing in the said Title Suit and are ready to face the trial and if found guilty be convicted. However, it is purely a civil dispute.

6. Learned APP opposes the prayer for bail submitting that allegation is there against them.

7. Considering the submissions of the parties as also that the alleged sale deed is of the year 1968, a Title Suit is pending, one of the petitioner is a lady, both have no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

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, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No. 507 of 2024 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 petitioner 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 their 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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