

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70096 of 2025

Arising Out of PS. Case No.-458 Year-2025 Thana- PHULWARISHARIF District- Patna

1. Most. Ram Janki Devi W/O Late Krishnakant R/O Village- Korji, P.S- Phulwarisharif, Distt.- Patna.
2. Naumi Kant @ Naumi Kant Sharma S/O Late Vidya Bhushan Singh R/O Village- Korji, P.S- Phulwarisharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Prasad, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 338, 340 and 318(4) of B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.1 is a woman and the informant alleges that land pertaining to Khata No.185, Khesra No.235 at Mauza Kurji, Area 31 decimal belongs to him and his family and the land belonged to his grandfather late Ramanuj Singh who got the land through



Execution Case No.10/1951, further the land is mutated in his name and in the name of his family members, further his co-villager, Naumi Kant fraudulently sold about 15.625 decimal of land to five different purchasers, as recorded in the FIR.

4. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is submitted that informant alleges that petitioners are his co-villagers and they have no relation with the family, as such, they could not have sold the land in dispute in favour of purchasers. It is next submitted that if informant is aggrieved by the execution of the sale deed by the petitioner no.2 on the ground that he is not his family member and does not have any right and title over the land in dispute, in that event, he has the option of getting the sale deed cancelled but then the informant instead of approaching a court of competent civil jurisdiction instituted the instant criminal case in order to coerce the petitioners into submission. It is also submitted that based on a compromise, the land pertaining to Khata No.185, C.S. Plot No.235, Area 62 decimal along with other lands were



allotted in the share of the grandfather, father and uncle of petitioner no.2 in Title Partition Suit No.10/23/1945-46. Further, after the judgment and decree in T.P.S. No.10/23/1945-46, the name of Ram Lakhan Singh, grandfather of petitioner no.2, was mutated and after the death of grandfather and father of petitioner no.2, the name of petitioner no.2 was mutated. It is next submitted that since T.P.S. No.10/23/1945-46 was decreed on 28.03.1951, hence informant has falsely alleged that his grandfather got the land through Execution Case.

5. The learned APP and the learned counsel appearing on behalf of the informant oppose the anticipatory bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that if informant is aggrieved by execution of the sale deed by petitioner no.2 in favour of different purchasers, in that event, he has option of approaching a court of competent civil jurisdiction for getting the sale deed cancelled where petitioners will also get a chance to appear and rebut the claim of the informant.

6. Considering the submissions made by learned counsel appearing on behalf of the petitioners, let petitioners, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Phulwarisharif P.S. Case No.458 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Satyavrat Verma, J)

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