

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75900 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- BEERPUR District- Begusarai

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1. Nisha Kumari Wife of Ramdhari Kumar R/o Vill. - Pakri, P.S.- Birpur, District- Begusarai
 2. Raja Kumar Son of Bhuneshwar Mahto Resident of Vill. - Ward No. 4, Pakri, P.S.- Birpur, District- Begusrai
 3. Harihar Mahto Son of Sukhdev Mahto Resident of Vill. - Ward No. 4, Pakri, P.S.- Birpur, District- Begusrai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No. 1, Advocate

For the State : Mr. Ram Anurag Singh, A.P.P.

For the Informant : Mr. Sandip Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-01-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 417, 419, 420, 465, 467, 468, 471, 504 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is further submitted that petitioners no. 1 and 2 are purchasers of the land in dispute while petitioner no. 3 is identifier on the sale



deed. It is next submitted that a purely civil dispute has been given a criminal colour. It is also submitted that informant was married to Ruma Devi and out of the wedlock he had three children, namely, Mamta, Samta and Bipin. It is submitted that the informant in the FIR though accepts that he was married to Ruma Devi but then alleges that he had only two daughters, namely, Mamta and Samta and concealed the fact that he has a son, namely, Bipin. It is further submitted that petitioner no. 1 purchased the land in question from Bipin by a sale deed executed in the year 2019 and petitioner no. 2 had purchased the land in dispute from Sabita who had purchased the land from Bipin earlier while petitioner no. 3 is an identifier on the sale deed. It is next submitted that even Sabita was made an accused in the instant case and she along with Dinesh had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 60571 of 2024 and the same came to be allowed by an order dated 30.09.2024.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that informant in the FIR had concealed that he also has a son, namely, Bipin and that Sabita Devi has



been granted the privilege of anticipatory bail.

5. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Beerpur P.S. Case No. 45 of 2024 arising out of Complaint Case No. 392 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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