

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74045 of 2025

Arising Out of PS. Case No.-2744 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

Pinki Devi W/o Kanchan Kumar @ Kanchan Kumar Mishra R/o village -
Raghopur, P.S - Patepur, District - Vaishali, State - Bihar Pin- 844508

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar Mishra S/o Late Kusheshwar Mishra R/o Village - Bajitpur
Kusahi, P.S - Patepur, District - Vaishali, State - Bihar, Pin - 844508

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 75212 of 2025

Arising Out of PS. Case No.-2744 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

Kanchan Kumar @ Kanchan Kumar Mishra S/o Late Ram Swaroop Mishra
R/o village - Raghopur, P.S - Patepur, District - Vaishali, State - Bihar, Pin -
844508

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar Mishra S/o Kusheshwar Mishra R/o village - Bajitpur Kusahi,
P.S - Patepur, District - Vaishali, State - Bihar, Pin - 844508

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74045 of 2025)

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

(In CRIMINAL MISCELLANEOUS No. 75212 of 2025)

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Anil Kumar, learned counsel for the

petitioners and Mr. Mithlesh Kumar Khare, learned Additional

Public Prosecutor for the State.



2. The petitioners are apprehending their arrest in connection with Complaint Case No. 2744 of 2023 for the offences punishable under Sections 420, 467, 468, 120(B) and 34 of the IPC.

3. According to prosecution case, petitioner, namely, Kanchan Kumar represented himself as the adopted son of the deceased and transferred a portion of land in favour of his wife who is petitioner, namely, Pinki Devi and one Ram Daulari Devi and committed forgery and cheating.

4. Learned counsel for the petitioners submits that petitioner, namely, Pinki Devi has clean antecedent and petitioner namely, Kanchan Kumar @ Kanchan Kumar Mishra carries one criminal antecedent other than the present one but he is on bail in the pending matter and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. As per the allegation in the F.I.R, the petitioner, namely, Kanchan Kumar @ Kanchan Kumar Mishra has transferred the land in question in favour of the petitioner, namely, Pinki Devi who happens to be his wife without family partition. He further submits that one title suit bearing Title Suit No. 923 of 2022 is



pending for consideration before the learned Court below and the petitioners shall abide by the terms and conditions of the said Title Suit No. 923 of 2022.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the present case is purely a civil dispute and one title suit is also pending for consideration before the learned competent Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 the learned Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur in connection with Complaint Case No. 2744 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

