

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81997 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- ALOULI District- Khagaria

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1. Sulena Devi W/O Rajdip Yadav R/O Vill- Bhikhari Ghat, P.S- Alauli, Distt.- Khagaria.
 2. Gita Devi W/O Sushil Yadav R/O Vill- Bhikhari Ghat, P.S- Alauli, Distt.- Khagaria.
 3. Hira Devi W/O Pradip Yadav R/O Vill- Bhikhari Ghat, P.S- Alauli, Distt.- Khagaria.
 4. Rinku Devi W/O Hare Ram Yadav R/O Vill- Bhikhari Ghat, P.S- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajkumar S/O Late Larumal Yadav R/O Vill- Bhikhari Ghat, P.S- Alauli, Distt.- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Adv.
For the State	:	Mr. Binod Kumar, APP.
For the Informant	:	Mr. Rajesh Kumar, Adv.
		Mr. Priyanshu Ranjan, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 16-06-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 467, 468, 471/34 of the Indian Penal Code.

3. The allegation in the FIR is that co-accused Devrani transferred the plots of land belonging to the informant bearing Khata No. 20 and Khesra No. 423, 280, 425, 428, 430 in favour



of her four daughters-in-law, who are the present petitioners. It has further been alleged that all the accused persons, in connivance with one another, want to cause harm to the informant and are trying to oust him from his own land.

4. Learned counsel for the petitioners submits that it would be clear from the FIR itself that the thrust of the allegation of transferring the land by way of forged sale deed is upon co-accused Devrani and so far as the present petitioners are concerned, they are only the daughters-in-law of co-accused Devrani in whose name the land in question has been transferred. It is further submitted that the other two accused persons, who are the witness and identifier on the sale deed, have already been granted the privilege of anticipatory bail vide order dated 24.07.2024 passed in Cr. Misc. No. 45938 of 2024. Further, learned counsel for the petitioners has also brought the genealogical table on record which would show that the husbands of the petitioners and the informant are own *gotiyas*, which fact has deliberately been concealed in the FIR. It is also submitted that the nature of the case is purely civil and for the same, other alternative legal remedies are also available.

5. Learned APP for the State and learned counsel for the informant oppose the prayer for bail.



6. Considering the facts that the thrust of the allegation is mainly against co-accused Devrani and the nature of the case is purely civil, I am inclined to grant the privilege of anticipatory bail to the petitioners who have no criminal antecedent. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 lower Court where the case is pending/successor Court in connection with Alauli P.S. Case No.35 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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