

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88979 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- SAMASTIPUR District- Samastipur

1. Most. Nirmala Devi @ Nimala Devi Wife of Late Basant Kumar Singh @ Basant Singh Resident of Kashipur near MSKG College, P.S.-Town, Dist.- Samastipur, Bihar. Resident of ward no- 34, Kasipur, P.S-Samatipur town, Distt-Samastipur, Bihar as per FIR
2. Smt. Bandana Kumari @ Bandana Singh D/O- Late Basant Kumar singh @ Basant Singh, Wife of Aashit Kumar Singh Resident of E 404 Ashok Nagar, Handewadi Road, Hadaspar, Pune City, P.S- Kalepadal, Dist- Pune, Maharashtra. Resident of ward no- 34, Kasipur, P.S-Samatipur town, Distt-Samastipur, Bihar as per FIR
3. Smt. Sarojani Rakesh @ Sarojani D/O- Late Basant Kumar Singh @ Basant singh, Wife of Rakesh Kumar Resident of Richmond-19, Palace Orchard Society, Nibm Undri Road, Undri, Pune City, P.S.- Kandhwa, Dist.- Pune, Maharashtra. Resident of ward no- 34, Kasipur, P.S-Samatipur town, Distt-Samastipur, Bihar as per FIR
4. Smt. Priyanka @ Priyanka Singh D/O- Late Basant Kumar Singh @Basant singh, Wife of Prakash Kumar Singh Resident of Kashipur, P.S-Town, Dist- Samastipur, Bihar. Resident of ward no- 34, Kasipur, P.S-Samatipur town, Distt- Samastipur, Bihar as per FIR
5. Smt. Nishika singh @ Nishika D/O-Late Basant Kumar Singh @ Basant singh, W/O- Santosh Kumar Singh Resident of 9048, Wing 9, Sobha Dream Acres, Panathur Main Road, Balagere VTC, P.S- Varthur, Dist- Bengaluru, Karnataka. Resident of ward no- 34, Kasipur, P.S.- Samatipur town, Distt-Samastipur, Bihar as per FIR
6. Smt. Nitisha singh D/O- Late Basant Kumar Singh @ Basant singh, W/O- Kumar Saurabh Resident of Flat No. 501, Dream nest, Plot No. 124/B, Sector No. 13, ChikhaliPradhikaran, P.S- Mundhwa Pune City, Dist.- Pune, Maharastra. Resident of ward no- 34, Kasipur, P.S-Samatipur town, Distt-Samastipur, Bihar as per FIR.
7. Kunal Kumar Son of Lal babu Singh Resident of Sultanpur, P.S.- Mohiuddin Nagar, Dist-Samastipur, Bihar.

... .. Petitioners.

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhijeet Abhigyan, Advocate Mr. Niraj Kumar Singh, Advocate Mr. Dhananjay Kumar, Advocate
For the State	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA



ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 338, 339, 340(2), 344, 61(2), 308(5) and 3(5) of the B.N.S.

3. The allegation in the F.I.R. is that a forged document was created by the petitioner no.1, Nirmala Devi and her daughter in connivance with co-accused, Dr. Mritunjay Kumar, executed a sale deed in relation to the said land in favour of co-accused, Chandan Kumar.

4. It is submitted by learned counsel for the petitioners that it would be evident from the first information report that the dispute between the parties is essentially civil in nature and as a matter of fact, the informant has also filed a Title Suit No.366 of 2024 against the present petitioners and others. It has further been submitted that the disputed plot in question is measuring to three dhurs and the same *bona fidely* belongs to the petitioner no.1 as the khatiyani as well as the municipal receipts in support of the ownership of the title has been annexed as Annexure-P/3 series to this petition. Further, on account of such *bona fide* ownership of the land, the petitioner



no.1 executed the sale deed in question upon which the petitioner no.7 signed as witness, while the other petitioners are co-sharers of the said plot of land, hence the executors of the said sale deed. Learned counsel for the petitioners also points out that the petitioner no.1 had also lodged a criminal case against the present informant, bearing Samastipur Town P.S. Case No.214 of 2023, alleging therein that the informant and others had set her house on fire leading to death of her husband and it is on account of such enmity that the present case has been filed with absolutely false allegation.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the matter involves civil dispute and there are documents on record to support the title of the petitioners and the genuineness of the same would be the subject matter of the civil proceedings coupled with the fact that the petitioners have no criminal antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees 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 Samastipur Town P.S. Case No.215 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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