

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.628 of 2026

Arising Out of PS. Case No.-242 Year-2025 Thana- LAKHAURA District- East Champaran

1. Asha Devi, W/o Brajkishor Rai, Resident of village- Gola Pakaria Tola, Fatehpur, P.S.-Lakhaura, District- East Champaran.
2. Rambha Devi, W/o Rajeshwar Rai, Resident of village- Gola Pakaria Tola, Fatehpur, P.S.- Lakhaura, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Singh, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Lakhaura PS. Case No.-242 of 2025, dated. 08.08.2025, registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2), 308(2), 352, 3(5) of the B.N.S., 2023.

3. As per allegation, parcels of land belonging to the informant, Tribhuvan Nath Trivedi @ Pappu Tivari has been sold by the co-accused, Sachin Kumar and Manoj Tiwari to the co-accused Rajeshwar Rai and Asha Devi and Rambha Devi by executing registered sale deed.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as per the alleged facts and circumstances, no case of forgery or cheating is made out because as per the allegation itself, the sale deed is executed. As such, it is genuine and there is no misrepresentation as per allegation by the accused persons to the informant, and hence, there is no question of any transfer of any valuable property in favour of the accused. It is for the competent Civil Court to decide whether the land in issue belongs to the informant and whether the executed sale deed conveys any title to the purchaser.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that as per the alleged facts and circumstances, no offence of cheating or forgery is made out, at most, it is a dispute of civil nature, **this petition is**



allowed, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court below, in connection with Lakhaura PS. Case No.-242 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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