

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4645 of 2026

Arising Out of PS. Case No.-583 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Smt Rekha Ray (Mandal) @ Srimati Rekha Ray Wife of Jay Prakash Ray D/o Shri Dinesh Kr. Ray R/o Mirchaibari, Ward no. 5, Sahayak Police Station, Katihar, At present R/o Bolpur, Shanti Niketan, Indrapalli, Ward no. 19, P.S. - Bolpur, Dist. - Virbhoom(West Bengal).
2. Smt. Anjali Ray @ Srimati Anjali Ray W/o Niraj Kumar, D/o Sri Dinesh Ray R/o Mirchaibari, Ward no. 05, Sahayak Police Station, Katihar, At present R/o Choudhary Tola, Ward no. 12, P.S. - Kahalgaon, Dist. - Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-03-2026 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 316(2) and 318(4) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are women and the informant alleges that he entered into an agreement for purchasing a land measuring 32 decimal 800 sq. *kadi* for opening a school and the consideration fixed was Rs. 1,86,000,00/- out of which an amount of Rs. 2,51,000/- was paid



in advance, but the petitioners started adopting delaying tactics, hence informant sent two pleaders notices, but the same was replied and ultimately the petitioners refused to execute the sale deed.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that the dispute is civil to which a criminal colour has been given. It is next submitted that if what has been alleged in the FIR is proved in that event, the informant ought to have approached the Court of competent civil jurisdiction for getting the sale deed executed but instead of resorting to a procedure in accordance with law, the instant FIR came to be instituted with a view to coerce the petitioners into submission. It is also submitted that had a case for specific performance of contract be instituted by the informant in that event, the petitioners would have appeared before the learned Civil Court rebutting the claim of the informant.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the



learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender 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 trial court where the case is pending/successor court in connection with Katihar (Sahayak) P.S. Case No. 583 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

Gaurav Sinha/-

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