

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2725 of 2026

Arising Out of PS. Case No.-53 Year-2025 Thana- Krishnabraham District- Buxar

1. Smt. Shanti Devi W/O Sri Gopal Sah R/O Vill. and P.O. and P.S.- Navanagar, Dist.- Buxar.
2. Smt. Malti Devi W/O Sri Mohan Prasad R/O Vill. and P.O. and P.S.- Navanagar, Dist.- Buxar.
3. Bindeshwari Kumar S/O Gopal Ji Prasad R/O Vill. and P.O. and P.S.- Navanagar, Dist.- Buxar.
4. Smt. Sarswati Devi W/O Sri Ajeet Kumar R/O Mohalla- Chiharujot Prakash Nagar, Salugara, Ward no. 42, Siliguri, P.S.- Bhakti Nagar, Dist.- Jalpaiguri, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Sharma
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Krishna Brahma (K.B.) P.S. Case No. 53 of 2025, registered for the offences punishable under Sections 316(2)/316(3)/318(2)/318(4)/336(3)/338/3(5) of the BNS.

3. Allegedly, the informant's mother has purchased a land and during her lifetime she executed a partition deed where she gave no share to the petitioners. However, the petitioners in collusion with the Circle Officer and Karamchari get their name mutated in the year 2022-23 against which the informant and his



brother have filed mutation appeal which was allowed and the order of the Circle Officer was set aside. It is further alleged that subsequently the petitioners have sold the land in favour of some another accused person unauthorizedly.

4.Learned Advocate for the petitioners submitted that the dispute involved in the present case is nothing but predominantly civil in nature. However, only in order to put pressure and wreak vengeance, the name of the petitioners, who are none else but the sisters of the complainant/informant, has been implicated. It is further submitted that as a matter of fact the land in question was divided into three daughters and two sons and consequently the same was mutated in the name of the daughters as well and it was the bonafide share that they had sold to the bonafide purchasers. It is further contended that so far the purchasers of the land in question is considered, they have been allowed the privilege of anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 3117 of 2026 vide order dated 28.01.2026.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is specific accusation against the petitioners that they have fraudulently sold the land to the purchasers.



6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the materials available on record as well as the dispute which appears to be predominantly civil in nature and for the resolution of the same, the matters are pending before the different forums, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Krishna Brahma (K.B.) P.S. Case No. 53 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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