

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2331 of 2026**

Arising Out of PS. Case No.-138 Year-2025 Thana- GOPALPUR District- West Champaran

Prachi Kumari Wife of Nawendu Gautam @ Rahul Pandey R/O Village -  
Sargatiya, P.S.- Gopalpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      28-01-2026      1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gopalpur Police Station Case No. 138 of 2025, dated 11.08.2025, disclosing offences punishable under Sections 61(2)/79/118(2)/320/338/340/309/352/353/133/305(b) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that the accused no. 1, Nawendu Gautam @ Rahul Pandey, husband of the petitioner, sold the land and house, situated at Khata No. 597, Plot No. 4076, having an area of 06 dhurs and 10 dhurkis on 18.09.2024, by virtue of registered sale deed in favour of the petitioner. The informant has claimed the land and house as the joint



property of the parties and jamabandi of the subject land/house is running in the name of the informant's mother.

4. Learned Counsel for the petitioner submits that the accused no. 1 is the full brother of the informant and the petitioner is the wife of accused no. 1. After the death of the father of the informant, the informant got the service as Teacher on compassionate ground and has been residing in Sugauli. The husband of the petitioner (accused no. 1) was taking care of his mother and made all arrangement of marriage of his only sister, Niharika Kumari, who has also been made accused in the present case. As per the family arrangement, the mother of the informant/accused no. 1 decided that the land and house in question shall go to the accused no. 1 and accordingly, the accused no. 1 executed sale deed in favour of his wife, i.e. the petitioner. He next submits that the petitioner's husband has filed a partition suit before the Civil Court , bearing Partition Suit No. 391 of 2025, in which the informant is one of the defendants.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that



both the parties are closely related, there is dispute regarding share in the joint property and a partition suit is also pending between the parties, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, West Champaran, at Bettiah, in connection with Gopalpur Police Station Case No. 138 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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