

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6359 of 2026

Arising Out of PS. Case No.-264 Year-2024 Thana- COMPLAINT CASE District- Banka

1. Bibi Hazra W/o Md. Siraj Uddin R/o vill - Grihst Tola Barari, P.S.- Barari O.P., Distt.- Bhagalpur
2. Md. Siraj Uddin @ Sheik Siraj Uddin S/o Sekh Sagir R/o vill - Grihst Tola Barari, P.S.- Barari O.P., Distt.- Bhagalpur
3. Md. Shohrab Raja @ Md. Shohrav son of Md. Siraj Uddin @ Sheik Siraj Uddin R/o vill - Grihst Tola Barari, P.S.- Barari O.P., Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Yahiya Son of Md.Ibrahim R/o vill - Babura, P.S.- Dhankund, Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Complaint Case No. 264 of 2024 registered for the offences under Sections 420, 467, 468, 120(B), 504 and 506 of the I.P.C.

3. As per the prosecution case, the allegation against the petitioners is that they have executed a forged sale deed of the land belonging to the complainant.

4. Learned counsel for the petitioners submits that the



petitioners have falsely been implicated in this case and the allegation of transfer of the said land illegally is false and concocted. It is further submitted that a purely civil dispute relating to partition of land has been given a criminal colour. It has next been submitted that the complainant has an efficacious remedy before the competent civil court and instead of pursuing the same, she has instituted the present complaint. It has lastly been submitted that the petitioners carry clean antecedent.

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

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Complaint Case No. 264 of 2024 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-



(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application stands allowed.



8. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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