

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6591 of 2026

Arising Out of PS. Case No.-53 Year-2025 Thana- PHULWARIYA District- Gopalganj

1. Sindhu Devi @ Sindhu Kumari D/o Ghanshyam Pandey R/o Village - Phulwaria, P.S - Phulwaria, District - Gopalganj
2. Krishna Vati Devi @ Kisvanti Devi W/o Harinath Chaudhur @ Harinath Singh R/o Village - Phulwaria Madipur, P.S - Phulwaria, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

2. The petitioners are apprehending their arrest in connection with Phulwaria P.S. Case No. 53 of 2025 for the offence under Section 305 of the BNS.

3. As per the prosecution story, the informant has alleged that on 04.04.2025, at about 4:00 PM, when he returned from his camp in Mirganj to his residence in Madipur, upon opening the main door he observed that the south side door of his house was broken. Upon inspection of the house, he found that the Godrej cupboard and divan beds kept inside the house were broken, and the items stored within them were scattered.



While examining the contents, he discovered that a bag kept in the Godrej cupboard had been stolen. The bag contained all the gold and silver belongings of his family, which have now been unlawfully taken by unknown persons.

4. Learned counsel for the petitioners submits that the petitioners are quite innocent and they have not committed any offence as alleged, as the prosecution story is totally false, fabricated and concocted. Nothing incriminating has been recovered from the conscious possession of the petitioners and there is no material evidence against the petitioner connecting them with the alleged occurrence of theft. Petitioners were not found present at the place of occurrence and they were never put on T.I. Parade. It is further submitted that other co-accused person namely Yugul Kishor Singh @ Juglu Chaudhary has already been granted bail from the Court of learned Principal Session Judge, Gopalganj on 20.06.2025. A statement has been made in para 3 of the bail petition that petitioner has clean antecedent.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioners submits that the impugned order itself shows that as per para 16, 17 and 18 of the case diary, the witnesses have



stated that an admitted land dispute was going on between both the parties. Keeping in view the aforesaid facts, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XVI, Gopalganj, in connection with Phulwaria P.S. Case No. 53 of 2025 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the condition that one of the bailors should be close relative of the petitioners.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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