

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12920 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- BAGENGOLA District- Buxar

1. Sunil Mishra Son of Late Haridwar Mishra Resident of Village -Kaithi PS -Bagengola Distt -Buxar
2. Sushil Mishra @ Sushil Kumar Mishra Son of Late Haridwar Mishra Resident of Village -Kaithi PS -Bagengola Distt -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-02-2026 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bagengola P.S. Case No. 111 of 2025 for the offence registered under sections 318(4), 338, 336(3), 61(2), 303(2), 351(2), 3(5) of BNS, 2023.

3. As per the prosecution story, the informant alleged that two plots were purchased by her from her own sons and after the mutation, was having peaceful physical possession. However, claiming himself to be the guardian, the husband of the informant sold the land to another person in which this petitioner also gave support. Accordingly, the FIR.



4. Learned Counsel for the petitioners submit that both the petitioners who are brothers of Suresh Mishra have been implicated. He further submits that it is entirely a family matter between the husband and wife, they being brothers, have no role to play, further, have no criminal antecedent and only because they belong to the same family, now FIR is against them.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the lady has named these petitioners who supported the alleged transaction made by her husband.

6. Considering the submissions of the parties, main role has been assigned to the husband, Suresh Mishra, only at the fag end of the FIR, the name of the two petitioners have come up, both have no criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and



Additional Sessions Judge-V, Buxar in connection with Bagengola P.S. Case No. 111 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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