

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15750 of 2026

Arising Out of PS. Case No.-267 Year-2024 Thana- KALYANPUR District- East Champaran

Hari Chandra Sah @ Hari Chandra Turaha @ Harichandra Sah S/o- Prayag
Sah Resident of vill- Kalyanpur PS-Kalyanpur Dist- East Champaran bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kalyanpur P.S. Case No. 267 of 2024 lodged on 08.08.2024, for the offence punishable under Sections 318(4), 338, 336(3), 340(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. The case of prosecution, in brief, is that accused petitioner has dishonestly get the name on the deed number 237 of Prayag Turha and Sewak Turha which is in the name of his grandfather namely Hiranman Sah by doing forgery and his land measuring



13 Katha 9 dhur has also sold by accused petitioner by doing Jalsazi out of which accused petitioner has sold 7 katha land to Sharda Devi W/o Kirani Rai whose case number is 1017-2024/2025 for which a petition has also been given by informant to stop the mutation.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the land which was alleged to be sold is basically the land of grand mother of the informant and wife of the petitioner. He further submits that the informant's side and the petitioner's side belongs to same family and the petitioner is also entitled for half of the share in the said property. It is due to this reason, a partition suit bearing Partition Suit Case No. 14/2020 is pending before the court of Sub-Judge-12, East Champaran, Motihari. Counsel submits that the petitioner has sold only 7 *kattha* land for which mutation was filed, but due to objection filed in the mutation, it could not be acted upon. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him in which is on bail. Counsel also submits that the petitioner is old man aged about 62 years and he has sold only the share which belongs to him.



5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Additional Chief Judicial Magistrate-IV, East Champaran, Motihari, in connection with Kalyanpur P.S. Case No. 267 of 2024, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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