

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20325 of 2026

Arising Out of PS. Case No.-314 Year-2025 Thana- MAHARAJGANJ District- Siwan

1. Munna Kumar Tiwari Son of Devendra Tiwari Resident Of Village- Masrakh, Ps- Masrakh, Dist- Sharan
2. Bimla Ojha Wife of Rajendra Kumar Ojha Resident Of Village- Asahni, Ps- Rashulpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 08-04-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing for the State.

2. The petitioners apprehend their arrest in connection with Maharajganj P.S. Case No.314 of 2025, for having allegedly committed offences under Sections 126(2), 115(2), 318(4), 336(3), 61(2), 352, 351(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, lodged on the basis of written report of the informant, it is alleged that on 03.06.2025 at the Registration Office, Maharajganj, the petitioners and others went there and tried to execute sale deed. Upon information, the informant reached there and tried to stop the said execution of the sale deed for which an altercation took



place.

4. The learned counsel for the petitioners submits that there is a dispute in the family with regard to partition of the property and the petitioner no.1 is the cousin brother of the informant, while the petitioner no.2 is the aunt (Fua) of the informant. Although, the occurrence is said to have taken place on 03.06.2025, but the FIR was lodged on 2.07.2025. The dispute is going on in between the parties with regard to partition of the ancestral properties and with a view to harass the petitioners, the present case has been lodged. The petitioners have got no criminal antecedent. It is also submitted that similarly situated co-accused, namely, Kashinath Mishra has been granted the privilege of anticipatory bail by a learned Coordinate Bench of this Court vide order dated 31.03.2026, passed in Criminal Miscellaneous No.14449 of 2026.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail.

6. Having heard the learned counsel for the parties and considering the facts that there is a dispute with regard to partition in the family and the petitioners are aunt (Fua) and cousin brother of the informant, the present case has been filed to settle the civil dispute through the criminal proceeding and



the fact that similarly situated co-accused, Kashinath Mishra has been granted the privilege of anticipatory bail by a learned Coordinate Bench of this Court vide order dated 31.03.2026, passed in Criminal Miscellaneous No.14449 of 2026, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Siwan in connection with Maharajganj P.S. Case No.314 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take steps for cancellation of bail bonds of the petitioners. 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.

(Ritesh Kumar, J.)

Sanjay/-

U		T	
---	--	---	--

