

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29835 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- PHENHARA District- East Champaran

1. Sakila Devi W/o Deep Lal Sahani Resident of Village - Mankerwa, P.s. - Phenhara, District - East Champaran
2. Amitabh Bachan S/o Yogendra Rai Resident of Village - Mankerwa, P.s. - Phenhara, District - East Champaran
3. Amresh Kumar S/o Yogendra Rai Resident of Village - Mankerwa, P.s. - Phenhara, District - East Champaran
4. Ranjeeta Devi W/o Radhey Sahani Resident of Village - Mankerwa, P.s. - Phenhara, District - East Champaran
5. Yogendra Rai S/o Late Banti Rai Resident of Village - Mankerwa, P.s. - Phenhara, District - East Champaran
6. Mintu Devi W/o Rajesh Mahto Resident of Village - Mankerwa, P.s. - Phenhara, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar S/o- Late Surdev Prasad Yadav Resident of village Mankarwa PS- Phenhara Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan
For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 19-02-2026 Seen the office notes.

2. The service of notice by ordinary process is treated
as valid.

3. Heard the learned counsel for the petitioners and
the learned counsel for the State.

4. The petitioners apprehend arrest in connection with
Phenhara P.S. Case No. 170 of 2024 registered for offences



under Sections 318(4), 336(3), 338 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. According to the prosecution case, the father of the informant, Suryadev Prasad Yadav, was working at Tata Steel Company and had purchased land through a registered sale deed on 14-02-1984. The informant peacefully took possession of the land. After the death of the father of the informant, accused Yogendra Rai, with an intention to seize the land, deceived the informant and fraudulently sold it to his sons, Amitabh Bachchan and Amresh Kumar, along with co-accused Mintu Devi, Sakila Devi, and Ranjeeta Devi, through a registered sale deed.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that, after a partition in the family, the land was allotted to petitioner no. 5, Yogendra Rai, who transferred his share of the land to his sons. Both parties are co-sharers. Petitioner no. 5 is the seller of the land, while the remaining petitioners are the purchasers.

7. Learned APP for the State has vehemently opposed the prayer for bail and has submitted that there was no occasion for the petitioner no. 5, Yogendra Rai to transfer the land by way



of registered deed to his children as if the land had fallen in his share, his children would have been the co-sharers of that land.

8. I have considered the rival submissions of the parties. *Prima-facie*, I am of the view that the petitioner no. 5, Yogendra Rai had executed a sham and forged sale deed to deprive the informant of his share in the joint family property.

9. In these circumstances, the prayer for anticipatory bail of the petitioner nos. 2, 3 and 5 is rejected.

10. Accordingly, this application filed on behalf of petitioner nos. 2, 3, and 5 is dismissed.

11. The petitioner nos. 2, 3 and 5 are directed to surrender in the court below within a period of two weeks from today and seek regular bail, failing which the Superintendent of Police, East Champaran, Motihari will take all steps for the arrest of the petitioner nos. 2, 3 and 5.

12. As far as the petitioner nos. 1, 4 and 6 are concerned, considering the fact that they are women, their prayer for anticipatory bail is allowed.

13. Consequently, let the petitioner nos. 1, 4 and 6, above-named, in the event of their arrest or surrender within four weeks from today in the Court below, 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 learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court below in connection with Phenhara P.S. Case No. 170 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

14. Accordingly, this application is partly allowed.

15. It is, however, clarified that the observations made herein are limited to the adjudication of the present application and shall not prejudice the case of the petitioner nos. 2, 3 and 5 at any subsequent stage of the proceedings.

16. Let a copy of this order be communicated to the Superintendent of Police, East Champaran, Motihari through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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