

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34012 of 2026

Arising Out of PS. Case No.-3035 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Shambhu Dhari Kumar @ Shambhu Prasad Son of Gopal Yadav Resident of
Village- Pansuhi PS -Dulhin Bazar, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi son of Nagendra Pathak Resident of village- Faridpur jamui,
Post- Jamui, Ps- Dulhin Bazar, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kishore, Advocate

For the Opposite Party/s: Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-05-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No.3035 of 2020, registered for the offence punishable under Sections 406, 420, 467, 468, 471, 323, 324, 341, 342, 379, 384, 504, 506, 120B of the Indian Penal Code and 27 of the Arms Act.

3. As per the F.I.R., the co-accused Madhu Pathak allegedly attempted to sell the land of Late Jagatanand Pathak at the Registry Office, Bikram, by falsely claiming to be his second wife. Upon learning of the transaction on 11.11.2020, the complainant and her mother-in-law objected to the sale and



alleged that the accused was fraudulently transferring the property.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that there is no specific allegation against the petitioner. The petitioner is merely an identifier in the sale deeds alleged to have been executed in favour of Satendra Yadav and Anil Kumar, who have already been extended the privilege of anticipatory bail. The petitioner is said to have identified Deed Nos. 7078 and 7114. It is further submitted that the petitioner is not the beneficiary of the execution of the aforesaid sale deeds. Lastly, it is submitted that the petitioner has no criminal antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account that the actual beneficiaries have already been granted anticipatory bail and that the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna/Successor Court in connection with Complaint Case No.3035 of 2020 subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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 petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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