

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64655 of 2025

Arising Out of PS. Case No.-816 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Musmaat Bhabhuka Devi @ Girja Devi @ Bhabhuni Devi W/O Late Bangur Sah @ Late Nagina Sah Resident of Vill.- Tajpur Siswa, P.S.- Vangaha, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar Sah S/O Rudal Sah R/O Vill.- Bishunpurwa, P.S.- Gaunaha, Dist.- West Cjhamparan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, App.
For the O.P. No. 2	:	Mr. Avinash Raj, Adv.
	:	Mr. Sachida Nand Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-02-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 816 of 2023, disclosing offences under Sections 467 and 468 of the Indian Penal Code.

3. As per the allegations made in the complaint, Rajeshwar Sah intended to purchase the complainant's land, however, the complainant did not agree to sell the same. Thereafter, Rajeshwar Sah, along with co-accused Hirdaya Sah, allegedly procured an Aadhaar Card in the name of petitioner with the intention of falsely projecting her as a family member



of the complainant. It is further alleged that on the basis of a forged and fabricated genealogical table, the land belonging to the complainant was fraudulently sold. Relying upon the aforesaid forged documents, petitioner executed a sale deed in favour of the Rajeshwar Sah and other co-accused persons.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous land dispute between petitioner and the informant. It is contended that petitioner and the informant belong to the same family and the informant, being a greedy person, had denied her legitimate share in the ancestral property. Consequently, petitioner filed a petition before the Gram Panchayat, Siswa on 12.09.2016. After issuance of notice, the informant appeared and upon hearing the parties, the Sarpanch recorded statements of villagers on 30.10.2014 and found that the informant had forcibly deprived the petitioner of her share. It is further submitted that petitioner thereafter sold two kathas of land in favour of one Rajeshwar Sah in the year 2021. Learned counsel further submits that on similar allegations, the informant had earlier lodged Gaunaha P.S. Case No. 225 of 2022 under Sections 420, 406 and 34 of the IPC against the petitioner. In the said case, a Co-ordinate Bench of this Hon'ble Court has granted



anticipatory bail to the petitioner vide order dated 03.07.2024 passed in Cr. Misc. No. 40696 of 2024. It is thus submitted that the informant has filed two simultaneous criminal cases on the same set of allegations, one by way of FIR, in which the petitioner has already been granted anticipatory bail and the other by filing the present complaint case, in which the petitioner is again seeking anticipatory bail.

5. On the other hand learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner is having criminal antecedents and it is the petitioner's modus operandi to prepare forged and fabricated documents and on the basis thereof, grab the land of complainant.

6. Considering the submissions made by the parties and the fact that on similar allegations two criminal cases have been filed, one by way of an FIR and the other by filing a complaint and in the FIR lodged by the informant (O.P. No. 2) the petitioner has already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of



his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bettiah, West Champaran, in connection with Complaint Case No. 816 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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