

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81486 of 2025

Arising Out of PS. Case No.-1100 Year-2024 Thana- SAHARSA SADAR District- Saharsa

1. Vijay Anand @ Bijay Anand S/O Late Hira Jha R/o Goutam Nagar at and P.S.- Sadar Saharsa, Distt.- Saharsa
2. Shailesh Jha @ Shailesh S/O Late Chandra Nath Jha R/O Vill.- Bhawarpur, P.s.- Bihpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prasant Kumar S/O Late Hira Jha R/o Goutam Nagar at and P.S.- Sadar Saharsa, Distt.- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shambhu Kumar, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP
For the Informant	:	Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 28-04-2026 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 318(4), 336(3), 340(2), 352, 351(2), 351(3) and 303(2) of the B.N.S..

3. As per prosecution case, informant alleges that these two accused petitioners, dishonestly took away about 1kg 250 gm of gold belonging to his wife. It is further alleged that



after death of father of informant, these two accused-petitioners forged signatures and misused ATM card/bank accounts to illegally withdraw his money and misappropriated about Rs. 50,00,000/- from the accounts.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, Petitioner No. 1, namely Vijay Anand, is own brother of the informant and Petitioner No. 2, namely Shailesh Jha, is brother-in-law of the informant and due to petty family feud and property dispute, series of litigation are pending between the parties and the present case is one of them. It is further submitted that Petitioner No. 1 is mentally ill and his treatment is going on before Dr. V. Kumar Clinic in Kanke, Ranchi. Moreover, the dispute is purely civil in nature and none of the acts, allegedly committed by these petitioners, would give rise to any criminal liability. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, relationship between the parties and nature of dispute, the



prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sadar Saharsa P.S. Case No. 1100 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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