

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74219 of 2024

Arising Out of PS. Case No.-248 Year-2024 Thana- PUPRI District- Sitamarhi

1. Shiv Shankar Chaudhary @ Shiv Shankar S/O Ram Ashish @ Ram Ashish Chaudhary R/O Village- Madhuban Gote (Wrngly Mentioned in I.O as Bajpattigot), P.S- Bajpatti, Distt.- Sitamarhi.
2. Rinku @ Riku @ Rinki D/O Shiv Shankar Chaudhary @ Shiv Shankar, W/O Munna Jeshwal R/O Village- Madhuban Gote (Wrngly Mentioned in I.O as Bajpattigot), P.S- Bajpatti, Distt.- Sitamarhi.
3. Sunita W/O Shiv Shankar Chaudhary @ Shiv Shankar R/O Village- Madhuban Gote (Wrngly Mentioned in I.O as Bajpattigot), P.S- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Kumar, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, A.P.P.
For the Informant	:	Mr. Ashok Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-02-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Pupri P.S. Case No. 248 of 2024 instituted under Sections 406, 420, 467, 468 and 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner no. 1 is the husband of petitioner no. 3 and the father of the petitioner no. 2 and he is alleged to have transferred land in favour of petitioner nos. 2 and 3 over which he has no title to defeat the legal rights of the informant.



4. The learned counsel for the petitioners has vehemently argued and submitted that petitioner no.1 is the owner of the transferred property and petitioner no. 2 and 3 are his daughter and wife, he has transferred the same in their favour.

5. The learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner. Mr. Ashok Jha, the learned counsel for the informant has submitted that there was no need of transferring the land in favour of the wife and the daughter by the petitioner no. 1 if the petitioner no. 1 had title over the same. He has cheated the informant.

6. Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner no. 1.

7. The petitioner no. 1 is directed to surrender in the court below within a period of four weeks from today and seek regular bail, if so advised, failing which the Superintendent of Police, Sitamarhi will take all steps for the arrest of the petitioners.

8. Let a copy of this order be communicated to the Superintendent of Police, Sitamarhi through FAX for its



compliance forthwith.

9. So far as petitioner nos. 2 and 3 are concerned, they are women and considering the fact that the main thrust of allegation is against petitioner no. 1, the prayer for anticipatory bail is allowed with regard to petitioner nos. 2 and 3.

10. Let the petitioner nos. 2 and 3, above named, in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Pupri P.S. Case No. 248 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of B.N.S.S.

11. Accordingly, this application stands partly allowed.

(Sandeep Kumar, J)

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