

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31058 of 2015

Arising Out of PS.Case No. -431 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Veena Sharma W/o Kumod Kumar
2. Kumod Kumar S/o Late Satnarayan Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-08-2015 Learned counsel for the petitioners submits that

petitioner no. 2 Kumod Kumar has already been arrested. Hence,

this application with respect to him only become infructuous.

Heard learned counsels for the petitioner and the State.

Petitioner no. 1 is apprehending arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471, 504, 34 of the Indian Penal Code.

It is alleged that the petitioner executed a sale deed with
regard to Plot No.521, Khata No. 830 in favour of the informant
after realizing the consideration amount of Rs.13,80,000/-.
Subsequently, it was found that the land was mortgaged to
Syndicate Bank. This fact has not been disputed by the counsel for
the informant that the sale deed does not stipulate that the land in

question was mortgaged.

Under the circumstances, this court is inclined to grant provisional bail to the petitioner no.1 being lady, for three months.

In view of the aforesaid, let petitioner no.1 be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No.431 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the court below, if she repays the loan amount or undertakes to make payment of the same in the loan recovery proceeding.

(Dinesh Kumar Singh, J)

Ashwini/-

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