

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30046 of 2015

Arising Out of PS.Case No. -275 Year- 2014 Thana -KHAGARIA District- KHAGARIA

Savita Devi W/o Late Ramesh Kumar Gupta, Resident of Village -
Murgiyachak (Sanghauli Ganj), P.S. - Khagaria, District - Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 14-10-2015 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in connection
with Khagaria P.S.Case No. 275 of 2014 registered under Sections
420, 468, 467, 406 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that she had sold a piece of land
to the wife of the informant though the same did not belong to her.
It is further submitted that money has been advanced by the
informant for registering of the land, which, in fact, was not
effected and the same would not amount to any offence as the
petitioner had obtained the same by way of deed of gift dated
9.2.1952 from her father Late Pryag Sah. However, it was

subsequently discovered that the land in question did not belong to the petitioner and that there was some mischief at her hands. Learned counsel submits that there is no element of mischief in the present case and if at all it is a disputed matter which can only be resolved by a competent court of civil jurisdiction.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of her arrest/surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Khagaria P.S.Case No. 275 of 2014 to the satisfaction of the Chief Judicial Magistrate, Begusarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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