

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43275 of 2016

Arising Out of PS.Case No. -395 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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1. Sunaina Kumari, W/o Late Dr. Dashrath Prasad Gupta, Resident of Chitragupta Nagar, D.A.V. Road, Khagaria, P.S. Chitragupta Nagar, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-10-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bails arises out of Khagaria (Chitragupta Nagar) Police Station case No. 395 of 2016, disclosing offences under Sections 323, 420, 406, 467, 468, 471,120B and 149 of the Indian Penal Code.

Allegedly, the informant had purchased a piece of land from father of co-accused Ram Bilash Tanti. Ram Bilash Tanti is said to have executed a sale deed with respect to some piece of land in favour of the petitioner. On these allegations, the First Information Report has been lodged.

Learned counsel for the petitioner has submitted that even if the allegations made in the First Information Report are

treated to be true, no offence under the various sections of the Indian Penal Code referred to in the First Information Report is made out. He submits that if that is the position, the petitioner herself stands cheated.

Learned counsel for the informant has opposed the prayer for anticipatory bail and has submitted that the vendor Ram Bilash Tanti has been granted regular bail and, therefore, the petitioner should also apply for regular bail.

However, considering the facts and circumstances of the case and particularly the fact that vendor has been granted regular bail, this application is allowed. Let the petitioner above named in the event of her arrest/surrender within four weeks from today in the Court below 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 the learned Chief Judicial Magistrate, Khagaria in Khagaria (Chitragupta Nagar) P.S. case No. 395 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds

shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

