

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29412 of 2016

Arising Out of PS.Case No. -273 Year- 2014 Thana -SARAIYA District- MUZAFFARPUR

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1. Vijeta Devi W/o Arjun Sah Resident of Village- Basti Saloni, Post-Basantpur Patti, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-09-2016

Heard the counsel for the petitioner and the State.

The petitioner is a lady and is facing accusations punishable under Section 420 of the IPC lodged by the own uncle of the husband of the petitioner.

The allegation is that the husband of the petitioner had taken the informant to the registry office for sale of 04 decimals of land and by playing fraud in stead of 04 decimals 9 ¼ decimals was got registered and that too in the name of the petitioner.

Learned counsel for the petitioner submits that the fraud, if any, was committed by the husband of the petitioner. She was only the name lender. The informant subsequently has also filed a Suit being Title Suit no. 858 of 2014 for setting aside the same.

Considering the facts and circumstances of the case, I direct the petitioner, named above, in the event of her arrest/surrender before the learned Court below within a period of four weeks from today, to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate(West) Muzaffarpur, in connection with Saraiya P.S. case no. 273 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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