

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58076 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -AMAS District- GAYA

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1. Bisheshwar Yadav, son of Sri Khudur Yadav
2. Meena Devi, Wife of Bisheshwar Yadav, Both are residents of village-
Shamsher Khap, P.S.- Amas, District- Gaya Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Amas P.S. Case No. 130 of 2015, disclosing offences under
Sections 467, 468, 471, 420, 120B, 504 and 447/34 of the Indian
Penal Code.

At the very outset, it is informed at the bar that during
the pendency of this application, petitioner no. 1 has been arrested.
This application has, thus, become infructuous to the extent it
relates to petitioner no. 1 and it is, accordingly, dismissed to the
extent it relates to petitioner no. 1.

From the First Information Report, it appears that the
informant, Asha Devi lodged the First Information Report with an
allegation that the petitioner no. 1 got executed a sale deed in
favour of petitioner no. 2 by her husband without her consent.

Learned counsel for the petitioner submits that the said sale deed has been executed by rightful owner of the land, in question, and it is purely civil dispute.

Learned counsel appearing on behalf of the informant, however, opposed the prayer for bail.

Considering the nature of dispute and accusation, this application is allowed.

Let the petitioner, above-named, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sherghati, Gaya in connection with Amas P.S. Case No. 130 of 2015, 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)

Vats/-

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