

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2874 of 2016

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Veena Sharma

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-03-2016

The present application has been filed for modification of the order dated 05.08.2015 passed in Cr. Misc. No. 31058 of 2015 to the extent of confirming the provisional anticipatory bail granted to the petitioner in a case registered for the offences punishable under Sections 420, 476, 468, 471 and 504/34 of the IPC.

The prosecution case is that the petitioner Veena sharma and her husband Kumod Kumar executed sale deed with regard to Plot No. 521, Khata No. 830 in favour of the informant after realizing the consideration amount of ₹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 and in that circumstances, the petitioner was granted provisional anticipatory bail for three months which

was to be confirmed by learned court below if the petitioner repays the loan amount or undertakes to make payment of the same in the loan recovery proceeding.

It is submitted by learned counsel for the petitioner that the petitioner has repaid the total loan amount and the bank issued 'No Dues' certificate. It is further submitted that bail bonds of the petitioner has not been cancelled as yet.

In the circumstances the provisional bail granted to the petitioner vide order dated 05.08.2015 passed in Cr. Misc. No. 31058 of 2015 is extended by 31st of May, 2016.

Let the learned court below confirm the provisional bail granted to the petitioner, after giving due notice to the concerned bank, if the loan amount has been repaid and 'No Due' certificate has been issued. The provisional bail of the petitioner will also be confirmed if the concerned bank does not respond within reasonable time.

Accordingly the modification application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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