

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44596 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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Sheela Devi, wife of Sanjay Kumar, resident of village-Khutiya, P.S. Mansi,
District-Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 13-12-2016 Heard.

The petitioner apprehends her arrest in connection with
Khagaria (Chitragupta Nagar) P.S. Case No.83 of 2016/G.R. No.277 of
2016 registered under Sections 420, 468, 471 and 120-B of the Indian
Penal Code.

The allegation of the complainant/informant Brajendra
Narayan Jha is that Bindu Devi, the wife of the co-accused Jhabar
Mishra, sold 8 Katha 18 Dhur 2 Dhurki 10 Furki land of Plot No.24446
of Khata No.89 of village-Bacchauta on 10.08.1990 to him. The co-
accused Jhabar Mishra was also a witness to the sale deed. Thereafter,
the complainant/informant started to pay rent and was coming in
possession over the said land. Under conspiracy, the co-accused Jhabar
Mishra managed to got the sale deed of the aforesaid land executed in
favour of the accused-petitioner through five sale deeds, which was



executed by his three sons, namely, Vinod Kumar Mishra, Chhotan Mishra and Awadhesh Mishra on 12.08.2015.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the bona fide purchaser of the aforesaid land from Vinod Kumar Mishra, Chhotan Mishra and Awadhesh Mishra, all sons of the co-accused Jhabar Mishra, and the petitioner had no knowledge about the purchase of the aforesaid land by the complainant/informant from Bindu Devi, the wife of the co-accused Jhabar Mishra. Moreover, the dispute, as alleged in the complaint petition, which is the basis of the F.I.R., is civil in nature.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Chitragupta Nagar) P.S. Case No.83 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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