

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26228 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Geeta Devi, W/o late Rajeshwar Singh, R/o Village- Bhikhanpura, P.S.-
Sadar, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar
2. Mukesh Rai @ Mukesh Kumar, S/o Uday Narayan Rai, R/o vill.-Dahiya,
P.S.- Bhagwanpur, Dist.-Begusarai

.... Opposite Parties

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Appearance:

For the Petitioner : Mr. Manish Kumar -3, Advocate

For the Opposite Party : Mr. Khurshid Anwar(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-10-2016 Heard learned counsel for the petitioner and learned

counsel for the informant as well as learned counsel appearing on

behalf of the State.

The petitioner is apprehending her arrest in connection
with Sadar P.S. Case No. 30 of 2016 registered for the offences
punishable under Sections 323, 406, 420, 467, 468, 471 and
120(B) of the Indian Penal Code.

Considering the fact that there is a serious dispute
with regard to title between the parties, it appears that the
appropriate remedy in the said case, for the parties, is to approach
the court of competent jurisdiction for adjudication of their rights
rather than to contest the matter through the criminal proceeding.

In view of such facts and it is a dispute of civil nature, let the petitioner above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 30 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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