

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20036 of 2018

Arising Out of PS. Case No.-3510 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Anjula Sinha @ Anjala Sinha, W/o Veermani Kumar Singh, R/o 081/72,
Bahadurpur Housing Colony, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anju Kumari, D/o Sri Jawala Prasad Singh, W/o Sri Shashi Bhusha, R/o Mohalla- Postal Park, P.S.- Jakkanpur, District- Patna, at present residing of Alka Colony, Sandalpur Road, P.S.- Bahadurpur, district- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. D. K. Sinha, Sr. Counsel
		Mr. Abhinay Raj, Adv.
For the Opposite Party/s :		Mr. J. N. Thakur, APP
For the Opp. Party No.2 :		Mr. Dinu Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-04-2018 Heard learned Counsels for the petitioner, opposite party
no.2 and learned APP for the State.

The petitioner is apprehending arrest in connection with a complaint case, wherein process has been directed to be issued, after cognizance being taken for the offences punishable under Sections 323, 379, 420, 406, 468, 471, 504, 506 and 120B of the Indian Penal Code.

The prosecution case as per the complaint filed by Anju Kumari is to the effect that she was in need to purchase a piece of land. The husband of the complainant, Sashi Bhushan, contacted the husband of the petitioner Virmani Kumar Singh,



who assured the husband of the complainant that the land is available at Mauza -Pahari. The consideration amount of land was fixed at the rate of Rs.37.50 lakhs per katha. Accordingly, an agreement to sale was executed on 16.10.2015 between the husband of the complainant and the land owner Harendra Kumar @ Manish Kumar. Thereafter, Rupees 82 lakhs was paid by the complainant to the husband of the petitioner. The transfer of land in question was made through registered sale deed executed by co-accused Harendra Kumar @ Manish Kumar. Subsequently, the complainant came to know that the actual owner of the land in question is Harendra Kumar, resident of Nalanda district and by impersonating him the forged sale deed has been executed. Thereafter, the complainant made complaint to the husband of the petitioner and one Adarsh Kumar, when they accepted the guilt and assured her to refund Rs.70 lakhs. Subsequently, cheques for the said were also issued, but it got dishonoured due to insufficient fund. It is further alleged that when the complainant went to make complain, then co-accused Chintamani Pandey and Garima Pandey assaulted the informant and snatched her gold chain. It is also alleged against this petitioner that she threatened the informant for dire consequence, if the complainant would demand the



consideration amount.

It is submitted by learned Sr. Counsel for the petitioner that the thrust of accusation is against the husband of the petitioner and Harendra Kumar, who actually executed the alleged sale deed. Moreover, the petitioner was neither a party to the agreement to sale, nor he ever received any money from the complainant. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. Dinu Kumar, learned Counsel appearing on behalf of the complainant that the alleged forgery has been committed by the husband of the petitioner and the petitioner had all the knowledge about the money being taken by her husband fraudulently.

Considering the aforesaid fact, particularly, in view of the fact that the thrust of accusation is against the husband of the petitioner Virmani Kumar Singh and Harendra Kumar, who executed the sale deed, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks



from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna, in connection with Complaint Case No.3510 C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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