

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34005 of 2018

Arising Out of PS.Case No. -657 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Bibi Rubina Khatoon @ Rubina Khatoon @ Bibi Rubina Parween W/o
Md. Gufran D/o Mahfooz Alam, R/o Vill.- Madhepura, Ward No. 11, P.S.-
Madhepura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Mannan S/o Idrish, R/o Vill.- Majarhat Tola, Islampur, P.S.-
Singheshwar, District- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-07-2018 Heard both sides.

The petitioner apprehends her arrest in Complaint Case
No.657 of 2014(Complaint Case No.4848 of 2014) registered
under Sections 420, 467, 468, 323, 504, 506 of the Indian Penal
Code.

The complainant alleged that Md. Gufran sold a piece
of land to him on consideration of Rs.52,000/- but one Brajesh
Kumar refrained the complainant from cultivating the land. It is
further alleged that Gufran, the husband of the petitioner earlier
transferred the land in the name of the petitioner in the year 2009
and petitioner sold the same to Brajesh Kumar in the year 2014.
Even then Gufran, the husband of the petitioner sold the same land
to the complainant.

The learned counsel for the petitioner submits that the



petitioner had no knowledge that her husband sold the same land to the complainant. Petitioner is a *pardanasheen* lady. There is no allegation that petitioner executed any sale deed or persuaded the complainant to purchase the same land. The only allegation against the petitioner that the complainant paid the consideration amount to Gufran, husband of the petitioner in presence of the petitioner.

Considering the facts aforesaid that the petitioner is neither alleged to have executed any sale deed or persuaded the complainant to purchase the same land sold by the petitioner in favour of one Brajesh Kumar and also the fact that petitioner is a lady, the petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to 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 S.D.J.M., Madhepura in connection with Complaint Case No.657 of 2014(Complaint Case No.4848 of 2014), subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)