

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55179 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -CIVIL LINE District- GAYA

1. Nilam Devi, W/o Satyendra Kumar Sinha, R/o Anugrahpuri Colony, West J.J. Road, Gaya, P.S.- Rampur, District- Gaya.
2. Shailesh Kumar @ Shailesh Kumar Singh S/o Narendra Prasad Singh, R/o Vill.- Kenduee, P.S.- Magadh Medical College, Gaya, District- Gaya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 25-09-2018

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Petitioner No.2 Shailesh Kumar @ Shailesh

Kumar Singh has already been arrested in this case. Hence, his prayer for anticipatory bail is infructuous now.

The petitioner No.1 is apprehending her arrest in a case registered for the offences punishable under Sections 420/467/468/471/120B/34 of the Indian Penal Code.

Petitioner No.1 Nilam Devi is purchaser of the land. Allegation is that the land belongs to the informant and some fictitious person executed sale deed in favour of the petitioner and others and everything was done in a connivance.

The law is well settled that no one can transfer a better title than he himself possesses nor anyone would get a title



only on the basis of the sale deed if he fails to prove the title of his vender. Co-accused Surabhi Singh has already been allowed bail by a coordinate Bench of this Court in Cr. Misc. No.51382 of 2018.

Learned counsel for the informant opposed the prayer for bail.

Considering the entire facts aforesaid, let the petitioner No.1 Nilam Devi, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Civil Lines Police Station Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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