

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5701 of 2018**

Arising Out of PS.Case No. -25746 Year- 2014 Thana -PATNA COMPLAINT CASE District-  
PATNA

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Shakuntala Singh, W/o Krishna Murari Singh, R/o Village- Betaura, P.O.+  
P.S.- Beur, District- P.O.+P.S.- Beur, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Praveen Kumar, S/o Sri Jugnarayan Singh, R/o Village- Chand Chak,  
(Kurthoul), P.O.- Mittan Chak, P.S.- Parsa Bazar, District- Patna.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.  
For the Opposite Party No.2: Mr. Pramod Kumar Singh, Advocate.  
For the State : Mr. Bisheshwar Ram, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      03-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**  
**Case No. 25746(C) of 2014** instituted for the offence under  
Section 406 of the Indian Penal Code.

It is alleged in the complaint petition that amount of  
Rs.8,00,000/- was given by the complainant to Krishna Murari  
Singh for execution of sale deed with respect to the land as  
mentioned in the complaint petition, which was subsequently  
found to be disputed. Thereafter, the complainant has made  
request to return his money but, the money has not been returned.

Learned counsel for the petitioners has submitted that



there is land dispute between the parties. It has further been submitted that this petitioner was merely a witness on the aforesaid agreement for sale. She has been made accused in this Case because she is wife of Krishna Murari Singh.

Learned counsel for the petitioner has submitted that agreement for sale has been entered into between the complainant and Krishna Murari Singh, copy of which, has been enclosed as Annexure-2.

Learned counsel for the Opposite party No. 2 has appeared and opposed prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Complaint Case No. 25746 (C) of 2014**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **Sri Manish Kumar-II, learned Judicial Magistrate, 1<sup>st</sup> Class, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

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