

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51276 of 2018**

Arising Out of PS.Case No. -1107 Year- 2016 Thana -PATNA COMPLAINT CASE District-  
PATNA

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Sudha Devi @ Suja Devi, Wife of Late Virmani Prasad, resident of  
Village- Chakpitambarpur, P.O.- Dumri, P.S.- Fatuha, District- Patna.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Mamta Rani, Wife of Sri Ajy Kumar Yadav, resident of Mohalla-  
Chammanchak, P.O.- Manoharpur Kachuara, P.S.- Ramkrishna Nagar,  
Distt.- Patna.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Akshansh Ankit

For the Opposite Party/s : Mr. Harendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      13-09-2018                      Heard learned counsel for the petitioner.

Petitioner apprehends her arrest in connection with  
Complaint Case No. 1107(c) of 2016 instituted for the offences  
punishable under Sections 420, 323, 441, 504, 406 and 120B of  
the Indian Penal Code.

Allegation against the petitioner is that she entered into  
an agreement for sale of a piece of land with the complainant and  
taken Rs.20 lakhs from her and thereafter petitioner has not  
executed sale deed and not returned the amount.

Submission of learned counsel for the petitioner is that as  
the dispute is with respect to agreement for sale, as such this case



is in the nature of civil dispute and no offence is made out against the petitioner and petitioner is a lady.

Heard learned APP and learned counsel for the complainant, who has opposed the prayer for anticipatory bail stating that money has been transferred through RTGS and the same has been received in the account of the petitioner and in spite of that she has not executed sale deed and not returned the money which shows that she has intention to grab the money.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit.

With the above observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

spa/-

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