

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21282 of 2019

Arising Out of PS. Case No.-3 Year-2016 Thana- RAJIVNAGAR District- Patna

SUNITA DEVI Wife of Sri Satish Kumar Barnwal @ Satish Kumar Resident
of Mohalla-Ram Nagari, P.S-Rajeev Nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Ranjan
For the State	:	Mr.Chandra Bhushan Prasad
For the Housing Board	:	Mr. Ram Kishore Singh,Adv

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 17-07-2019 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 406, 420, 467, 468, 471 IPC and Section 3 of the Prevention of Damage to Public Property Act registered in connection with Rajeev Nagar P.S. Case No. 03/2016.

3. It is submitted that the petitioner has been falsely implicated and as a matter of fact the petitioner owned the land through power of attorney executed on 06.08.2009 by one Smt. Madhu Parasar, the original owner who purchased it from Jay Prakash Nagar Co-operative Housing Society Limited through registered sale deed dated 04.10.1983. It is further stated that the petitioner has constructed her house over the land in 2009 itself and has been paying municipal tax against receipt issued by the Municipal Corporation. Electric connection has also been provided to the petitioner in the year 2012 and electric bills have been paid since then. The petitioner claims clean antecedents.



4. Learned APP assisted by learned counsel for the Bihar State Housing Board vehemently opposes the petition submitting on the basis of case diary that the petitioner has made illegal construction over the land belonging to the Housing Board on the basis of forged documents. In this regard, paras 3 and 4 as well as para 18 containing the supervision note of the case diary has been referred to.

5. Having regard to the nature of accusations and gravity of offence alleged as well as the materials in the case diary, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. Considering the submission that the petitioner is a lady of advanced age of about 60 years, if the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law on the same day, without being prejudiced by any observation in the present order.

Chandran/-

(Vikash Jain, J)

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