

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21594 of 2019

Arising Out of PS. Case No.-2502 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Sarita Kumari @ Sarita Devi, Wife of Sri Bimal Kishore Singh, Resident of Village - Khamhar, P.S.- Begusarai (Muffasil), Distt - Begusarai, presently residing at Professor Colony, Near Power House, P.S.- Begusarai (Town), Distt - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jagannath Singh, Son of Late Dharmraj Singh, Resident of Village - Mohanpur, P.S.- Begusarai (Muffasil), Distt - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Sanjana, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 2502 (C) of 2015, disclosing offences under Sections 323, 417, 406 & 504 of IPC.

Allegation as per complaint case is that there was some land at Begusarai Town in the name of accused Bimal Kishore Singh and his wife Sarita Kumari @ Sarita Devi, i.e. the petitioner and Bimal Kishore Singh has a talk with the complainant for sale of that land and for that he demanded an advance. It is further alleged that she gave a bank draft in the name of the petitioner, which was deposited in IDBI Bank, but they did not appear for registry of the said land and the encashment of the draft has already been stopped by the friend



of the complainant, namely, Amrendra Kumar Amar. Before that the accused persons had encashed the said bank draft. It is also alleged that when the accused persons came to know about the same, they came variously armed and threatened him.

Submission of the learned counsel for the petitioner is that the complaint petition disclosed that that a talk for sale of the land was made between the husband of the petitioner and the complainant and only allegation is that amount has been deposited in her account with her husband, who has already granted privilege of anticipatory bail by the learned court below itself. He further submits that petitioner is a lady and the dispute is in the nature of civil dispute. She is ready to abide by any condition imposed upon her.

Heard learned A.P.P. also.

In this case, earlier notice was issued to the opposite party no.2 and from the office notes, it appears that opposite party no.2 has received the notice, personally, which appears from the order dated 3.7.2019 and as a last indulgence, the case was posted for today. Today nobody appears on behalf of the opposite party no.2, nor any Vakalatnama has been filed on behalf of opposite party no.2.

Having heard both sides, considering the above



submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate-V, Begusarai, in connection with Complaint Case No. 2502 (C) of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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