

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32073 of 2019

Arising Out of PS. Case No.-421 Year-2018 Thana- BIHARSHARIF District- Nalanda

Girja Devi Wife of Rama Choudhary Resident of Village - Ali Nagar, P.S.-
Bihar, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends her arrest in connection with
Bihar P.S. Case No. 421 of 2018 registered for the offence
punishable under Sections 467, 468, 471, 420, 120(B)/34 of the
Indian Penal Code.

Petitioner is said to have purchased 1½ decimal
land vide Sale Deed No. 7773 dated 16.07.2018 from one
Sarsatiya Devi out of the land sold to the informant by Madni
Chaudhary and others vide Sale Deed No. 7775 dated
16.07.2018 by playing fraud.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and has not committed any



fraud. As a matter of fact, the petitioner had purchased 1½ decimal land from its real owner, namely, Sarsatiya Devi on the very date of purchase of land by the informant, but sale deed of the petitioner happens to be earlier to that of informant. Hence, no question of purchasing of the land by the petitioner from the land of the informant subsequent to his purchase ever arises. It is purely a civil nature case. Petitioner happens to be lady and she has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 421 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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