

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34539 of 2019

Arising Out of PS. Case No.-2337 Year-2012 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Bipati Devi W/o Arjun Rai @ Arjun Kumar Resident of Village- Bhabhantoli,
P.S.- Goraul, District- Vaishali. Petitioner/s

Versus

1. The State Of Bihar
2. Sugeeya Devi W/o Late Rajdev Rai Resident of Village- Nayagaun
Bariyarpur Ganiyari, P.S.- Mahnar, District- Vaishali, Presently Residing at
Naihari, Village- Randaha, P.S.- Raja Pakar Barauti (O.P), District- Vaishali.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for anticipatory bail apprehending her arrest in connection with Complaint Case No. 2337 of 2012 registered for the offences under Sections 420,467 and 120(B) of the Indian Penal Code.

The allegations as per complaint filed by the complainant is that her brother Ram Vilash Rai died issueless but the petitioner falsely claiming herself to be the daughter/heir of the complainant's brother Ram Vilash Rai, executed sale deeds.

It is submitted by learned counsel for the petitioner that from the allegations as evident from the petition of complainant itself the matter is purely one of land dispute. The petitioner



being the only heir of her father Late Ram Vilash Rai had rightly executed the sale deeds in favour of the persons named in the complaint.

The learned APP for the State opposes the application and submits that the petitioner not being the heir of Ram Vilash Rai had no authority to execute the sale deed in favour of the strangers.

Having heard the learned counsel for the petitioner and the learned APP for the State and taking into consideration the fact that the main dispute relates to the property of Late Ram Vilash Rai, I am inclined to enlarge the petitioner on bail. Let the petitioner namely, Bipati Devi surrender in the Court below within six weeks from today. In case of her arrest or surrender, she is directed to be enlarged on bail on furnishing bail bonds of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hajipur, Vaishali in connection with Complaint Case No. 2337 of 2012 subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Prakash/-

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