

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41868 of 2019

Arising Out of PS. Case No.-698 Year-2018 Thana- COMPLAINT CASE District- Supaul

CHANDULA DEVI Wife of Late Bhupendra Hajari Resident of Ward No. 05,
Village - Babhangama, P.S.- Triveniganj, District - Supaul

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Mustakim Son of Late Md. Jainual Resident of Village - Babhangama,
P.S.- Triveniganj, District - Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha
For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 16-11-2019 Heard both sides.

The petitioner apprehends her arrest in Complaint Case No.698C of 2018 registered under Sections 323, 504, 420 of the Indian Penal Code.

The complainant alleged that he purchased 23 decimals of land of old Khesra No.925 and 926 corresponding to new Khesra Nos.1177 and 1191 from the petitioner through a registered sale deed but when the complainant went to the purchased land, the complainant came to know that Bikram Hajari, the brother of the husband of the petitioner had already sold the land to someone else and the vendee of Bikram Hajari objected the complainant from taking possession over the land.

The learned counsel for the petitioner submits that from perusal of the sale deed executed by the petitioner, it



would appear that the petitioner sold 23 decimals land fell in her share in new Plot No.1177 and 1191. Bikram Hajari, the brother of the husband of the petitioner sold different parts of the land which fell in his share and dispute is with regard to demarcation of the land. The petitioner never cheated or played any fraud with the complainant.

Learned counsel for the complainant however objected the prayer for anticipatory bail but could not be able to show any acts constituting an offence under Section 420 of the Indian Penal Code against the petitioner.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Supaul in connection with Complaint Case No.698C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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