

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2659 of 2019**

Arising Out of PS. Case No.-137 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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REHANA KHATOON @ REHANA Wife of Late Raqib Alam @ Late Md.
Raqib Resident of Village - Shahbajpur, P.S.- Mabbi, O.P., District-
Darbhanga

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ajay Kumar Thakur, Advocate.
Mr. Pravin Kumar, Advocate.
For the Respondent/s : Mr.Binay Krishna, APP.

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

ORAL ORDER

2 04-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

The appellant seeks pre-arrest bail in connection with
Sadar P.S. Case No. 137 of 2017 registered under Sections 420,
406, 467, 471, 386, 387 and 120B of the Indian Penal Code and
Sections 3(i)(s), 3 (i)(r) and 3(i)(w) of the SC/ST Act.

One Md. Raqib Alam who happens to be husband of
the appellant and Md. Reyaz approached the informant and one
Badri Prasad Mahansariya to sell out 3 Katha 13 Dhur land
standing in the name of the aforesaid Md. Raqib and the
appellant received Rs. 20 lacs on the agreement on stamp of Rs.
1000/- to execute the land in their favour, but in vain and on



insistence by the aforesaid proposed vendee for execution of the land, Md. Reyaz and Md. Mahtab Alam descended at the house of the informant and slating him in the name of his caste pointed pistol on his temple and extended threatening of dire consequence. Md. Reyaz and Mahtab Alam also withdrew the cheque amount.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Though the land is standing in the name of the appellant, but appellant has not entered into any agreement with the informant. She has no knowledge of any such agreement. She has also neither received any amount from the informant nor withdrew cheque amount. There is no allegation of slating the informant in the name of his caste against the appellant as well. Appellant happens to be lady and she has no criminal antecedent. Said Md. Reyaz and Md. Mahtab Alam have been enlarged on anticipatory bail by a co-ordinate Bench of this Court.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of her arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J-I cum Special Judge, SC/ST Act, Darbhanga in connection with Sadar P.S. Case No. 137 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

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