

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51764 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- KHARIK District- Bhagalpur

MALTI DEVI Wife of Late Balram Mandal Resident of Village - Usmanpur,
P.S.- Kharik, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kharik P.S. Case No. 08 of 2019, disclosing offences under Sections 420, 467, 468 and 506/34 of the Indian Penal Code.

It is alleged that the co-accused Balram Mandal executed a sale deed in favour of the informant, after having received the entire consideration money, but when the informant approached the revenue authorities for issuance of rent receipt, he was told that the land, in question, was already sold to someone else.

The petitioner has been implicated only on the allegation that he was a witness to the said sale deed.

Learned counsel for the petitioner has submitted that



the petitioner was allegedly a witness to a deed executed by the main accused, which itself cannot constitute an offence under sections 467 and 468 of the IPC.

Considering the nature of accusation, this application is allowed. Let the petitioner, above named, in the event of her arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned ACJM-1, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 08 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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