

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75155 of 2018

Arising Out of PS. Case No.-311 Year-2018 Thana- RUPASPUR District- Patna

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1. Ram Sawari Devi, W/o Late Ram Pujan Tiwari.
 2. Deepika Devi @ Deepika Tiwari, W/o Arvind Kumar Tiwari, Both resident of Village- Upharpura, Sahay Nagar, P.S. Phulwarishariff, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 420, 341, 323 and 504/34 of the IPC.

The prosecution case, as per the written report of Ramesh Prasad submitted to the Station House Officer, Rupaspur Police Station, is to the effect that on 15.10.2015 co-accused Arvind Kumar Tiwari entered into an agreement of sale of land in favour of the informant, appertaining to Mauza Khalilpura, Thana No.54, Khata No.8468, Plot No.378379 measuring of Area 1 Khata 10 Dhur, of Rs. 24,25,000/-. Subsequently, the informant transferred Rs. 24,25,000/- to the co-accused Arvind



Kumar Tiwari and the money receipt was given by the petitioners, but the sale deed was not executed.

It is submitted by the learned counsel for the petitioners that the agreement was entered into between the informant and co-accused Arvind Kumar Tiwari. There is a Title Suit being Title Suit No.173 of 2018, filed by the informant against the son of petitioner no.1, Ram Sawari Devi, wherein the petitioners were not party defendants for the same cause of action. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel or the informant submits that the money receipt was given by the petitioners and petitioner no.2, Deepika Devi, is the wife of the co-accused Arvind Kumar Tiwari.

Considering the fact that the petitioners are not party to the agreement and the both the petitioners are lady, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **A.C.J.M.-II**,



Danapur, Patna in connection with **Rupaspur P.S. Case No. 311 of 2018** subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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