

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71603 of 2019

Arising Out of PS. Case No.-204 Year-2013 Thana- AMAUR District- Purnia

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1. Bibi Sahara Khatoon Wife of Late Abdul Jalil Resident of Village - Hijla, P.S.- Baisi, District - Purnea
 2. Md Ajmal Son of Late Abid Hussain Resident of Village - Hijla, P.S.- Baisi, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abdul Ajij Son of Late Sk. Abdul Rasid Resident of Village - Naya Tola Paharia, P.S.- Baisi, District - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Amour P.S. Case No. 204 of 2013 for the offence registered under Sections 420, 467, 468, 469, 471 and 120(B) of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report that the husband of the Petitioner No. 1 died on 30.07.2009 in an accident. But after his death, the petitioner has got a sale deed in her favour.

Learned counsel for the petitioners submits that the



petitioners have not committed any offence in the manner alleged inasmuch as the petitioner being an innocent lady who was advised by the co-villagers to get the land transferred in her name for her survival. Learned counsel for the petitioner further submits that Title Suit No. 440 of 2013 was filed by the brother of the husband of the petitioner challenging the said sale deed which was compromised between the parties and a compromise decree dated 26.08.2013 was passed by the learned Trial Court allotting a share of the land in favour of the informant also.

Having heard learned counsel for the parties and taking into consideration the facts that the parties have already entered into a compromise and the sale deed executed in favour of the petitioner has now become nullify and the subject land has been returned to the family by way of compromise decree, I am inclined to grant anticipatory bail to the petitioners. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Amour P.S. Case No. 204 of 2013, subject to the condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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