

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66507 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- PAKRIDAYAL District- East Champaran

Kahkasha Naaz Wife of Javed Ahamad Khan @ Guddu Khan, Resident of
Village- Chorma, P.S.- Pakaridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 18-02-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 467, 468, 471, 420 and 406 IPC registered in connection with Pakridayal P.S. Case No. 50 of 2018.

3. It is submitted that the petitioner, being a lady, has been falsely implicated in a transaction which is out and out in the nature of civil dispute with respect to failure to register the land sold in favour of the informant. There is no whisper in the FIR whatsoever, that the petitioner has intended to cheat the informant at the time when payment was made. Co-accused Javed Ahamad Khan @ Guddu Khan, husband of the petitioner has been granted regular by this Court in Cr. Misc. No. 2855 of 2019. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel appearing for the informant oppose the anticipatory bail petition.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



CJM, East Champaran at Motihari, in connection with Pakridayal P.S. Case No. 50 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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