

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77233 of 2018

Arising Out of PS. Case No.-1080 Year-2016 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Lilawati Devi W/o Late Sudama Singh, Resident of Village- Anar, Police
Station- Behea, District- Bhojpur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kamakhya Singh, S/o Ram Ayodhya Singh, Village- Anar, P.S.- Behea,
District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1080C/2016 Corresponding to Tr. No.1205 of 2017 , registered for offences punishable under Section 406 of the Indian Penal Code.

Allegation against the petitioner is that she has taken Rs.02 lac for the marriage of her daughter and an agreement was made that she will execute the sale-deed with respect to the land and building but neither the money was returned nor the sale deed was executed.

Submission of the learned counsel for the petitioner is that as a matter of fact the husband of the petitioner was killed,



in which the complainant is sole accused and due to that the present case has been filed even the allegation shows that it is case in civil nature.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail..

Having heard both sides and in view of the facts and circumstances, as stated above, it appears to be case of violation of agreement for sale of the land as such, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Shri Ranjan Kumar, J.M., Ara in connection with Complaint Case No.1080 'C' of 2016 corresponding to Trial No.1205 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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