

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21082 of 2020**

Arising Out of PS. Case No.-291 Year-2019 Thana- SABAUR District- Bhagalpur

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1. Ratnawali Devi @ Fulmani Devi wife of Ramvilas Choudhary Resident of 08 N.P. 74 Housing Board, P.S. - Barari, District - Bhagalpur.
  2. Shailratna Singh @ Pinki Wife of Jhingru Singh Resident of Village - Lokmanpur, P.S.- Kharik, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gaurav Govind, Advocate  
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      29-06-2020                      The matter has been taken up through virtual Court proceeding.

Heard learned counsels for the petitioner and learned APP for the State.

Since the physical court proceeding is non-functional the matter is listed with defects.

Learned counsel for the petitioners undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects the office will place the matter before the bench.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 406, 420, 467, 468 and 471/34 of the Indian Penal



Code.

The prosecution case, as per the written report of Vipesh Kumar Singh submitted to the Station House Officer, Sabour Police Station, is to the effect that the informant purchased a piece of land in the name of his wife, Pinki Devi through registered sale deed on 31.05.2011 from the petitioners. On 13.07.2019, the informant went to see the land where he found that co-accused Vinod Bharti, Rajesh Sah, Jai Prakash Sah, Anjan Kumar, Nand Kishore Yadav and Jaiprakash Mandal were making construction over the land in question then the informant came to know that earlier that the land in question was sold to one Anjan Kumar. Thereafter, the informant went to the petitioners to enquire about the land in question where the informant was conveyed that the land was sold to another person.

It is submitted by learned counsel for the petitioners that the petitioners have not sold the land in question to any other person except the wife of the informant and co-accused Anjan Kumar, who is alleged to have made construction over the land in question, has been granted bail by the learned Court below on the basis of compromise. Petitioners are accused in one another case in which, they are on bail.



Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the accusation arising out of civil nature of dispute and the fact that co-accused has been granted bail, let the petitioners above named be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour P.S. Case No. 291 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioners which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional anticipatory bail of the petitioners will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties, including one surety given at the time of provisional bail of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with



Sabour P.S. Case No. 291 of 2019., subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The learned Court below will be at liberty to further extend the period of provisional anticipatory bail if the court proceeding in physical mode will not resume in next three months.

Accordingly, the application is disposed of.

**(Dinesh Kumar Singh, J)**

DKS/-

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