

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 76589 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- CHANPATIA District- West Champaran

Buchan Devi @ Shivkali Devi aged about 51 years, Gender Female, Wife of Shivpujan Mahto Resident of Village - Gidha West Tola, P.S.- Chanpatia, District - West Champaran. at present residing at Village - Ghogha Mauje, P.S.- Gopalpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-02-2020 Heard learned counsel for the parties.

The petitioner apprehends her arrest in Chanpatia P.S. Case No. 60 of 2019 registered for the offence under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.

As per prosecution case, the petitioner has transferred informant's land in favour of Fulmati Devi measuring 4 katha. It is further alleged that petitioner has also transferred 2 katha land in favour of Surendra Mahto.

It is submitted on behalf of petitioner that there is land dispute between both sides and petitioner, being lady, is step mother of the informant and she has transferred her own land, whereas, learned counsel for the informant has disputed the above submission. He submits that petitioner has committed



fraud and the aforesaid land falls in the share of informant's own mother, but petitioner, by adopting the name of his mother as '*Shivkali Devi*', has transferred such land and as such, the petitioner may not be extended the privilege of anticipatory bail.

However, considering the fact that it is purely a civil dispute and there is admitted land dispute in between the parties as well as the fact that petitioner, who is lady, having no criminal antecedent, in the event of her arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 60 of 2019 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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