

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83735 of 2019

Arising Out of PS. Case No.-364 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

PRITI KUMARI @ PRITI MISHRA W/o Lalit Narayan Mishra R/o village-
Bajaj Patti, P.S.- Motihari Town, District- East Champaran
... .. Petitioner

Versus

1. The State of Bihar
2. Sujan Kumar Rai Burman S/o Dhrub Prasad Rai Barman R/o 913,
Hemdellain, Kolkata, West Bengal, Presently Hotel Athithi, Main Road,
Motihari, P.S.- Motihari Town, District- East Champaran
... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 03-07-2020 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Complaint Case No. C-364 of 2019 registered for the offence punishable under Sections 406, 420, 467, 471 and 120(B) of the Indian Penal Code.

Complainant claims that he is the power of attorney holder of one Chittaranjan Mukherjee. In that capacity, he has filed the complaint case. It is alleged in the complaint petition that one Uma Shankar Mishra, held the power of attorney of Chittaranjan Mukherjee earlier and in that capacity, he executed sale deeds though he was not authorised to do so. The petitioner is daughter-in-law of Uma Shankar Mishra. Allegedly, Uma



Shankar Mishra has executed a sale deed in favour of the petitioner also on the basis of the said power of attorney, though the power of attorney was confined to pursuing legal matters and doing *pairvi* in other matters and not for executing sale deeds.

Learned counsel representing the complainant has vehemently opposed the prayer for bail. Learned Additional Public Prosecutor is also present for the State.

On careful perusal of the complaint petition, I am of the *prima facie* view that the dispute is of civil nature.

Be that as it may, a case for grant of anticipatory bail is made out in the facts and circumstances of the case. This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari, in Complaint Case No. C-364 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall



present himself before the Police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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