

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87418 of 2019

Arising Out of PS. Case No.-235 Year-2019 Thana- SHEKHPURA District- Sheikhpura

MOST. BIMLA DEVI Wife of Late Madan Mohan Prasad Singh @ Late Madan Mohan Prasad Resident of Village and P.S.- Karande, Distt – Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar.

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sheikhpura PS case no. 235 of 2019 registered for the offences punishable under Sections 420, 467, 468, 471/34 of Indian Penal Code.

The allegation is regarding the petitioner having sold the land in a fraudulent manner, which is stated to have been gifted by her father-in-law in the name of the Hon'ble Governor for the construction of Police Station.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that at best, the allegation levelled in the FIR can be said to be of civil nature, hence the informant is well advised to approach the competent court of civil



jurisdiction and no criminal offence is made out. It is further submitted that both the petitioner and purchaser have given affidavit before the Superintendent of Police, Sheikhpura that they are willing to surrender the said land in favour of the Government for the purposes of construction of police station.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner coupled with the fact that the allegation is purely civil in nature, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Sheikhpura PS case no. 235 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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