

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87100 of 2019

Arising Out of PS. Case No.-1138 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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PARMILA DEVI, Wife of - Surendra Ray Resident of Ward No. 11,
Ghaghara, Bhagbati Mandir, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Arvind Sharma Son of Chattu Sharma Resident of- Ghaghara, Bhagbati
Mandir, P.S.- Bakhri, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr. A.M.P. Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Complaint Case No. 1138 (C) of 2018 for the offence
under Sections 420, 407, 323 and 504 of the Indian Penal
Code.

The accusation is that Rajendra Prasad Verma,
Mahendra Prasad Verma, Surendra Prasad Verma, Ram Lakhan
Mahto, Dinesh Prasad Verma sold Khatihani land of
complainant/O.P. No.2 Arvind Sharma in favour of Smt.
Urmila Devi and Parmila Devi (Petitioner) without any right
and title and on the said sale deed, Jitendra Rai and Manoj
Prasad had put their signature as witness. Thereafter,



construction of the house started over the land. When complainant/O.P. No.2 made protest then Urmila Devi and petitioner disclosed that they have acquired the land through the sale deed.

Learned counsel for the petitioner submits that, in fact, petitioner and seven others had filed A.B.P. No. 2909 of 2018 in the Court of learned Addl. Sessions Judge-II, Begusarai, which was rejected vide order dated 24.01.2019, but, inadvertently, the name of Parmila Devi (petitioner) was not shown in the said order. Thereafter, petitioner filed Criminal Miscellaneous No. 42203 of 2019, but the same has been dismissed as withdrawn, without touching the merit of the case. Thereafter, on making prayer, the name of petitioner was inserted in order dated 24.01.2019 passed in A.B.P. No. 2909 of 2018 by the Addl. Sessions Judge-II, Begusarai. Thereafter, the present application has been filed. Further submission is that similarly situated co-accused Rajendra Prasad Verma and five others, whose prayer for pre-arrest bail has been rejected by the learned Addl. Sessions Judge-II, Begusarai on 24.01.2019 passed in ABP No. 2909 of 2019, have already granted privilege of pre-arrest bail by this Court on 20.06.2019 passed in Criminal Miscellaneous No. 16718 of 2019.



Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-III-cum-Addl. Chief Judicial Magistrate-V, Begusarai in connection with Complaint Case No. 1138 (C) of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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