

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19220 of 2022**

Arising Out of PS. Case No.-559 Year-2021 Thana- MADHAURAH District- Saran

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BASANTI DEVI WIFE OF RAMBADAN OJHA RESIDENT OF  
VILLAGE- MARAHIYAN, POLICE STATION- KHAIRA, DISTRICT-  
SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Srivastva  
For the Opposite Party/s : Mr. Amit Kumar Rakesh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      18-08-2022      Heard learned counsel for the petitioner and learned APP  
for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends her arrest in a case registered for the offence punishable under section 420, 467, 468, 471, 387, 504, 506, 120(B)/34 of the Indian Penal Code.

Allegedly, the informant has purchased a piece of land from his villager Mantu Singh. In the meantime co-accused persons in collusion and conspiracy with Mukhiya representative have filled up 50 tailors soil on the said land for



construction of road. A panchayati was convened in which it was decided that the soil would be removed from his land. Whenever the informant tried to remove the soil from his land, the accused persons abused and threatened him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. One Mantu Singh, who has executed the sale deed in favour of informant with regard to the land in question is first cousin of the petitioner and she is the only daughter of her father and Mantu Singh is the son of her uncle and the disputed land is the ancestral property of the petitioner and she only sold 8 dhur to one Suren Kumar Pandey which is likely to be her share in the said property. He further submits that there is civil dispute between the parties and the present case is also arising from the same. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case,



since the matter is of civil nature, 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Madhaura P.S. Case No.559 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

shikha/-

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