

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30324 of 2022

Arising Out of PS. Case No.-648 Year-2013 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. Sunaina Devi Wife Of Late Ram Chandra Thakur Resident Of Village-
Chhapra Manorath P.S- Kanti Dist- Muzaffarpur
 2. Nilam Singh Wife Of Late Pramudit Pankaj Resident Of Village- Mathiya
P.S- Keshariya , Dist- East Champaran Presently Residing At Sahajanand
Colony Bhagwanpur P.S- Sadar Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Manoj
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections

406, 420, 427, 384, 504, 120(B) of the Indian Penal Code.

Learned counsel for the petitioners seeks

permission to withdraw the petition with regard to petitioner

No. 2 namely Nilam Singh.

Permission is accorded.

Accordingly, the petition with respect to petitioner

No. 2 is dismissed as withdrawn.



The prosecution case as per F.I.R is that the informant had purchased the land in question from Shyam Kishore Prasad Singh and got the mutation done in his name. Shyam Kishore Prasad Singh has purchased the land from the petitioner on 24.12.2022. It is alleged that on 01.10.2013, Ajay Kumar and Nilam Singh came with some miscreants and damaged the boundary wall. When the informant opposed, accused persons abused and assaulted him and told that Nilam Singh had purchased the land from her mother Sunaina Devi (Petitioner). It is alleged that petitioner in conspiracy with her son namely Ajay Kumar had sold the land to her daughter, namely, Nilam Singh.

It is submitted by learned counsel for the petitioner that the present case is civil in nature. It is also submitted that the informant is the purchaser of land from Shyama Kishore Prasad Singh but the informant purposely does not made accused to him and as pressure tactic the false case has been lodged against the petitioner. This case comes within the preview of civil in nature. A statement has been made in para 3 of the petition that the petitioner has clean antecedent.



In the facts and circumstance of the case, let the petitioners, above named, except petitioner No. 2, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Town P.S. Case No. 648 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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