

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63981 of 2021

Arising Out of PS. Case No.-257 Year-2018 Thana- KHAIRA District- Saran

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Laxmina Devi, Female aged about 50 years, Wife of Mahesh Rai and Daughter of Late Chhathi Lal Rai, Resident of Village- Rauja Chapra, P.S.- Chapra (Town), District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-05-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

The petitioner apprehends her arrest in connection with Khaira P.S. Case No.257 of 2018 registered for the offences punishable under Sections 323, 420, 467, 468, 426, 504, 120(B) of the Indian Penal Code.

The informant is the purchaser of the land in question by registered sale deed in the year, 1981. The petitioner has sold the part of land to different purchasers in 2018 claiming that



she has inherited the property from her relatives. In the recital of the sale deed, she does not mention about the registered sale deed in favour of the informant. The petitioner should have got the sale deed of the petitioner set-aside before selling this land if this belongs to her.

It has come during investigation in paragraph no. 51 of the case diary that proceedings under Sections 107, 144 and 188 Cr.P.C. were going on between the parties and in those proceedings no documentary evidence was produced by the petitioner and prohibitory orders were passed. In the Court below also, they did not produce any paper. Today in the Court. Learned counsel for the petitioner has come up with one receipt but has not been able to produce the mutation order in her favour. A very valuable land has been sold for pittance. This also proves that the petitioner has no right title or interest in the land and by merely filing a title suit, she is trying to disturb the title and possession of the petitioner. Similarly situated accused persons Mantu Rai @ Mantu Kumar and Harendra Rai @ Harendra Kumar have also moved this Court for anticipatory bail vide Cr. Misc. No. 22920 of 2019, which was dismissed on 11.04.2019.

In the opinion of this Court, the petitioner does not



deserve bail.

This application for anticipatory bail is dismissed.

The petitioner is directed to surrender within two weeks.

(Sandeep Kumar, J)

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