

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39477 of 2022

Arising Out of PS. Case No.-337 Year-2022 Thana- MADHEPURA District- Madhepura

Chandrika Devi, W/O Late Bindeshwari Vishwash @ Vindeshwari Vishwash
Resident Of Village - Ward No.4, Tuniyahi, Dakhsinwari, P.S.- Madhepura,
Distt.- Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Sections
406, 420, 504 and 506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman. It is
submitted that a civil dispute has been given a criminal colour
though there is absolutely no dispute even. It is next alleged that
from bare perusal of the allegation as alleged in the F.I.R., it
would manifest that the informant has levelled a vague
allegation that he had purchased land from the petitioner for Rs.
Four lacs in lieu thereof, he had paid an amount of Rs. Two lacs



in the account of her son.

The learned counsel next submits that the F.I.R. does not even remotely suggest that whether the said transaction was made in pursuance of an oral agreement or any agreement for sale with respect to the land in question for which sale deed was executed. It is also submitted that the F.I.R. does not even disclose the description of the land which the informant alleges to have purchased from the petitioner that in itself demonstrates the falsity of the allegation. The learned counsel next submits that the said amount was given by the informant to the son of the petitioner in lieu of a loan which he had taken earlier. The learned counsel next submits that it absolutely does not stand to reason that if what has been alleged in the F.I.R. is true, then the informant has remedy elsewhere.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like



amount each to the satisfaction of learned Court below where the case is pending in connection with Madhepura P. S. Case No.337 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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