

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49791 of 2021

Arising Out of PS. Case No.-781 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. RAJKALI DEVI Wife of Rajgrihi Bhagat, Resident of Village - Mahthin Tola, P.S.- Aayar, District - Bhojpur.
 2. Rajgrihi Bhagat Son of Ramdihal Bhagat, Resident of Village - Mahthin Tola, P.S.- Aayar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail petition, petitioner no. 2, Rajgrihi Bhagat has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this bail petition with respect to petitioner no.2.

In view of the aforesaid submission, **this petition is dismissed as withdrawn with respect to petitioner no. 2.**

So far as petitioner no. 1 is concerned, she apprehends her arrest in connection with Complaint Case No. 781(C) of



2017, in which cognizance has been taken against her under sections 420, 467 and 468 of the Indian Penal Code.

As per allegation, co-accused Jharkhandi Nath Singh facilitated execution of sale deed in favour of his wife Sita Devi showing petitioner no. 1 and co-accused Raj Munna Kunwar as daughter of Devki Nandan, the brother of grand-father of the complainant. As per allegation, the real fact is that Devki Nandan, who was the brother of grand-father of the complainant, died issueless.

The learned counsel for the petitioner has submitted that the complainant has also filed a case (Annexure-3) for cancellation of sale deed and Rajmunni Devi has filed a petition for partition with recitals that she was the daughter of Devki Nandan.

The learned counsel for the petitioners has submitted that it is a case of civil nature and on similar footing, co-accused Raj Munna Kunwar was granted anticipatory bail in Cr. Misc. No.18234 of 2021 by the coordinate Bench on 11.03.2022.

Considering the above-mentioned facts and circumstances, **let petitioner no. 1, Rajkali Devi**, in the event of her arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with



two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhojpur (Ara) in connection with Complaint Case No. 781(C) of 2017, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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