

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53420 of 2021**

Arising Out of PS. Case No.-1275 Year-2013 Thana- MUZFFARPUR COMPLAINT CASE  
District- Muzaffarpur

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JYOTI DEVI W/o Sri Vinay Kumar Thakur Resident of Village - Patsara,  
P.S.- Piar (O.P. Hatha), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinay Kumar Thakur Son of Late Parmandand Thakur Resident of Village -  
Patsara, P.S.- Piar (O.P. Hatha), Distt.- Muzaffarpur.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      21-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Learned counsel for the petitioner submits that notices  
were issued in compliance of the order dated 22.06.2022, it is  
next submitted that from perusal of the office report dated  
20.09.2022, it would manifest that Opposite Party No. 2 has  
personally received the notice and despite valid service of  
notice, he chooses not to contest as no one appears on his  
behalf.

The petitioner apprehends her arrest in a case  
registered for the offences punishable under Sections 420, 465,  
467, 468, 471 and 34 of the Indian Penal Code.



Learned counsel for the petitioner submits that the petitioner is a woman and has antecedent of three cases but all the three cases were filed against her by Opposite Party No. 2, who is her husband.

Learned counsel for the petitioner next submits that the complainant who is husband of the petitioner had filed the present complaint case alleging that petitioner had sold the land pertaining to share of his elder brother and grand-mother and misappropriated the amount received in lieu of the same, the learned counsel next submits that petitioner is innocent and has been falsely implicated in the present case, it is further submitted that from bare perusal of Paragraph-3, it would manifest that admittedly a serious dispute is pending between the petitioner and the complainant on account of which the complainant had instituted three cases, it is next submitted that petitioner accepts that she had sold some land but she sold the land which were in the share of her husband, it is next submitted that had the petitioner sold the land of elder brother and grand-mother of the complainant then definitely they would have instituted the complaint case and not the complainant.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complainant Case No. 1275 of 2013 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Shivam/-

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