

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4811 of 2023

Arising Out of PS. Case No.-185 Year-2021 Thana- PHULWARISHARIF District- Patna

1. Rinki Kumari, D/o Mokhtar Singh R/o- BMP 16, Khagaul, Phulwarisharif, Patna, Bihar
2. Sanjeet Kumar S/o Mokhtar Singh R/V- Dhanesh Chhapra, Hafizpur, Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-05-2023 Heard Mr. Abhay Kumar, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Phulwarisharif P.S. Case No. 185 of 2021 registered for the offence punishable under Sections 419, 420, 464, 468, 469, 471 and 120B of the Indian Penal Code.

3. Prosecution story, in brief, is that one Dharmendra Kumar impersonating himself as Grand father of the informant illegally sold the land of the informant to petitioner no.1 Rinki Kumari to which the petitioner no.2 was the identifier. It is alleged that the original land holder is the informant Ram Shubhag Singh who has lodged the F.I.R. against all the accused



persons named in the F.I.R. including the petitioners who are before this Court.

4. Learned counsel appearing on behalf of the petitioners informs this Court that petitioner no.1 is the wife of one Rajesh Kumar Rai, resident of village – Dhanesh Chopra, P.O.-Hafizpur, P.S.-Baniapur, District – Saran, however in the cause title of the present bail application to mislead this Court, the name of the husband of the petitioner has not been disclosed by petitioner no.1, however submitted on behalf of petitioner no.1 that in fact the vendor Dharmendra Kumar is also co-accused and he had illegally sold the land of the informant in the name of the petitioner after accepting the total consideration amount of Rs.5 lacs as per the sale deed. The mode of payment has not been mentioned in the sale deed.

5. Considering the aforesaid facts and circumstances, this Court is not inclined to enlarge the petitioner no.1 Rinki Kumari on pre-arrest bail. Her prayer for anticipatory bail is rejected.

6. So far as the petitioner no.2 is concerned, he had identified the petitioner no.1, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on



furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IX, Patna in connection with Phulwarisharif (Janipur) P.S. Case No. 185 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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