

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7129 of 2023

Arising Out of PS. Case No.-502 Year-2018 Thana- RAJAON District- Banka

Pankhi Devi, Wife of Arjun Das, R/O Village- Eslampur, P.S.- Rajaun,
District- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumod Kumar Shrivastaw, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Rajaun P.S. Case No. 502 of 2018 registered for the offences punishable under Sections 467, 468, 471, 406, 409, 420 and 120B of the Indian Penal Code. She has no criminal antecedent.

As per the prosecution story, the informant in her written report has submitted that this petitioner in collusion with Rajendra Das (witness), Circle Officer and Revenue Karmachari has mutated the land of the informant in her name by way of forged Kewala (Sale deed) bearing nos. 8564 dated 12.09.1990 and 10537 dated 10.01.1991.

Learned counsel for the petitioner submits that the allegation against the petitioner is that she got two sale deeds



executed in respect of the property of the informant by forging her signature. It is submitted that the petitioner has purchased the properties from the brothers and sisters as also from the informant which will be evident from a bare perusal of the two sale deeds. The brothers and sisters of the informant have not lodged any complaint against the petitioner. It is, therefore, his submission that this is a purely civil dispute.

Learned APP for the State submits that the kind of allegations mentioned in the FIR seems giving rise to a civil dispute as well.

Having regard to the facts and circumstances of the case, in the nature of the allegations, this Court directs release of the petitioner above named on bail in the event of her arrest or surrender within a period of four weeks from today in connection with Rajaun P.S. Case No. 502 of 2018 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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