

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17651 of 2023

Arising Out of PS. Case No.-947 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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SUMAN KUMARI W/o Dr. Rakesh Ranjan, D/o Bhagirath Chaudhary R/o
Mohalla- Chhotki Delha, Budhlal Bhagat Gali, P.S.- Delha, Distt- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Rakesh Ranjan S/o Shree Mahatha, R/o village- Kasva Pachrukhi, P.S.-
Akbarpur, Distt- Nawadah, Presently resident at Magadh Medical College
Hostel, P.S.- Magadh Medical College, Distt- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Complaint (Gaya) Case No. 947 of 2018, registered for the offences punishable under Sections 406, 412, 420, 468 and 120(B) of the Indian Penal Code.

The allegation is regarding the petitioner, who is the wife of the informant, having sold the car purchased by her husband.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has



been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present case has been lodged with malice in view of the fact that matrimonial dispute is existing in between the parties for which the petitioner has already filed one case bearing Complaint Case No. 1702 of 2013, against the complainant of this case and the same is pending before the learned court of Chief Judicial Magistrate, Gaya.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the husband and wife are quarrelling with each other on account of matrimonial discord amongst them, apart from the fact that prima facie the nature of allegation levelled against the



petitioner shows that the complainant has filed the instant case with malice, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of six 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 Judicial Magistrate-1st Class, Gaya in connection with Complaint (Gaya) Case No. 947 of 2018, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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