

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17054 of 2023

Arising Out of PS. Case No.-938 Year-2022 Thana- NATHNAGAR District- Bhagalpur

1. MEERA KUMARI Wife of Rajeev Kumar Resident of Mohalla - Parbatti,
P.S.- University, District - Bhagalpur.
2. Kamleshwari Singh Son of Phulchand Singh Resident of Village - Raypura,
P.S.- Goradih, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-05-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor representing the State.

At the outset, learned Counsel for the petitioners submits that during the pendency of this application, the petitioner no. 2, namely, Kamleshwari Singh, was arrested and he, accordingly, seeks permission to withdraw this application with respect to petitioner no. 2 only.

Permission is granted.

This application, so far as petitioner no. 2 is concerned, is dismissed as withdrawn.

This application, for grant of anticipatory bail, arises out of Nathnagar (Lalmatia) Police Station Case No. 938 of



2022, dated 01.12.2022, disclosing offences punishable under Sections 341/323/379/406/420/504/506/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that co-accused Amit Kumar entered into an agreement with the informant for sale of a piece of land and the informant paid an advance amount of Rs. 64,89,000/-, out of the total consideration amount of Rs. 70,00,000/- in favour of co-accused Amit Kumar, in front of the witness (petitioner no. 2). The allegation against the petitioner no. 1 is that when the informant went to the house of the co-accused Amit Kumar for negotiation, the petitioner and other family members of co-accused Amit Kumar abused and assaulted him by means of fists and slaps.

Learned Counsel for the petitioner no. 1 submits that the petitioner is a lady and she has not received any amount from the informant towards the consideration amount of the land in question. The allegation against the petitioner no. 1 is that she has abused the informant along with other co-accused persons and also assaulted him by fists and slaps.

Regards being had to the submissions advanced on behalf of petitioner no. 1 and taking into consideration the



nature of allegation levelled against her and the fact that the petitioner is a lady, I am inclined to grant the petitioner no. 1 privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner no. 1, namely, Meera Kumari, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Nathnagar (Lalmatia) Police Station Case No. 938 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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