

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23777 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- BIDUPUR District- Vaishali

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1. Lala Singh @ Lala Prasad Singh S/O- Rajendra Singh Village- Govindpur Ps- Bidupur District-Vaishali.
 2. Meera Devi Wife Of Lala Singh @ Lala Prasad Singh Village- Govindpur Ps- Bidupur District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan Dwivedi, Advocate
		Mr. Bela Singh, Advocate
For the Opposite Party/s :		Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 At the outset, the learned counsel for the petitioners seeks permission to withdraw the present application qua the petitioner no.1 in order to enable him to surrender before the learned court below, within a period of four weeks from today and avail the privilege of regular bail. Permission so sought is granted.

Accordingly, the present application qua the petitioner no.1 stands dismissed as not pressed.

Heard the learned counsel for the petitioner no.2 and learned APP for the State.

This is an application for grant of



anticipatory bail in connection with Bidupur P.S. Case No.208 of 2022, registered for offences under Sections 302, 420, 423, 424, 364A/34 of the IPC.

The allegation is regarding the marriage of the daughter of the informant having been solemnized with the son of the petitioners and as far as the petitioner no.1 is concerned, he is alleged to have been having greedy eye upon the property of the informant, whose husband is stated to be of unsound mind and thereafter, the petitioner no.1 is alleged to have abducted the husband of the informant and fraudulently got a sale deed executed with respect to the land of the informant and her husband, without paying the consideration money. It is further alleged that when the daughter of the informant and the son-in-law of the informant had gone to demand consideration money for the said land, the accused persons, including the petitioner no.1 had assaulted the deceased, son-in-law of the informant, killed him and thrown her dead body in the river Ganges.



The learned counsel for the petitioner no.2 has submitted that the petitioner no.2 is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner no.2 has further submitted that as far as the petitioner no.2 is concerned, there is no allegation of her having engaged in any sort of overtact and in fact, she has not been alleged to have abducted the husband of the informant for the purpose of execution of the sale deed in question, hence, she is having no complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail of the petitioner no.2.

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 petitioner no.2 is not alleged to have either abducted the husband of the informant or



assaulted the son-in-law of the informant, I deem it fit and proper to admit the petitioner no.2 to the privilege of anticipatory bail.

Accordingly, the above named petitioner no.2 is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Bidupur P.S. Case No.208 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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