

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28585 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- KUDHNI District- Muzaffarpur

Baby Kumari, Wife of Vikash Kumar, Resident of village - Kudhni, P.S.-
Kudhni, District - Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar
2. Dr. Alka Singh Wife of Dr. Ranjit Kumar Singh Resident of village -
Kudhni, P.S.- Kudhni, District - Muzaffarpur and At present resident of
Mohalla - 1C 606, Awidipta 401 Barakhola Mukundpur South Pargana, West
Bangal, Pin - 700099

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s	:	Mr. Rajeev Nayan, APP
For the Informant	:	Mr. Samrendra Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Kudhni P.S. Case No. 295 of 2022
registered for the offences punishable under Sections 406,
420/34 of the Indian Penal Code. She has got no criminal
antecedent.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that she executed a sale deed
on the consideration amount of Rs.11 lakhs and so in respect of
a property which was already mortgaged with the Bank.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent.

Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner executed a sale deed in respect of a property which was already mortgaged with the Bank and thereby allegedly cheated the informant, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the court below within four weeks from today, her prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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