

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37324 of 2022**

Arising Out of PS. Case No.-3 Year-2022 Thana- AZIMABAD District- Bhojpur

1. ANITA DEVI @ MUNESHWARY DEVI W/O LATE DEVENDRA SINGH Resident of Bantoli Badhi, P.S.- Ajimabad, District- Bhojpur.
2. TEJNARAYAN SINGH S/O RAMPUJAN SINGH Resident of village- Devghar Nij, P.S.- Jagdishpur, District- Bhojpur.
3. MUKLESH KUMAR S/O TEJNARAYAN SINGH Resident of Village- Devghar Nij, P.S.- Jagdishpur, District- Bhojpur.
4. LALIT NARAYAN SINGH S/O SHIVNATH SINGH Resident of Village- Nawanagar, Post- Kuchhila, P.S.- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                     |
|--------------------------|---|---------------------|
| For the Petitioner/s     | : | Mr.Subodh Kumar     |
| For the Opposite Party/s | : | Mr.Ramchandra Singh |

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

5      10-01-2023                      The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners as well as Mr. Ramchandra Singh, the learned APP for the State.

The petitioners apprehend their arrest in connection with Ajimabad P.S. Case No. 03 of 2022, registered for the offences punishable under Sections 420, 467, 468, 34 of the Indian Penal Code.

The prosecution case in brief is that one Devendra



Singh had two wives. First wife was Muneshwari Devi and the second is the petitioner, Anita Devi. Muneshwari Devi died during lifetime of Devendra Singh. Thereafter, Devendra Singh also died. The complainant is son of Muneshwari Devi, the first wife of Devendra Singh.

As per allegation, Anita Devi, the second wife impersonating the first wife, Muneshwari Devi had taken withdrawal of retiral benefit of deceased Devendra Singh and thereby committed cheating. The petitioners also dispossessed the complainant from his house, which was constructed from the sources of retiral benefit of Devendra Singh.

Learned counsel for the petitioners has submitted that it is admitted fact that Anita Devi has withdrawn the retiral benefit but she is ready to refund 50 per cent of that amount to the complainant. He has also submitted that the petitioners never made hindrance in right of residence of the complainant in the above-mentioned house. The right of residence of the complainant in that house is an admitted fact.

Learned counsel for the complainant has submitted that 50 per cent of the amount received by Anita Devi should have been returned to him to which the learned counsel for the petitioners has submitted that Anita Devi is ready to refund that



amount within a period of one month.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – I st, Arah (Bhojpur) in connection with Ajimabad P.S. Case No. 03 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**Further condition is that the petitioner Anita Devi shall make a payment of Rs.10 lacs to the complainant within one month. Petitioner shall not make hindrance in right to residence of the complainant in that house.**

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

kundan/-Nirmal

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