

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38529 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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ANITA KUMARI WIFE OF RAMESH CHANDRA PRASAD RESIDENT
OF VILLAGE GANDHI NAGAR PS MOTIHARI TOWN DIST EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-07-2023 Heard the learned counsel for the petitioner and the learned

A.P.P. for the State.

2. This is an application for grant of anticipatory bail in connection with Motihari Town P.S. Case No. 110 of 2022, registered for the offence punishable under Section 467, 468, 471, 120-B and 379/34 of the Indian Penal Code.

3. The allegation is regarding the petitioner herein having purchased the land in question, belonging to the ancestors of the informant in a deceitful and fraudulent manner.

4. The learned counsel for the petitioner submits 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



petitioner is a bonafide purchaser of the land in question and similarly situated co-accused persons have already been granted the privilege of anticipatory bail, by an order dated 21.3.2023, passed in Criminal Miscellaneous No. 72712 of 2022.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the petitioner is a bonafide purchaser of land, which she has purchased, after paying the sale consideration, apart from the fact that almost all similarly situated co-accused persons have been granted the privilege of bail, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the petitioner 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 C.J.M., East Champaran at Motihari in connection with Motihari Town



P.S.Case No. 110 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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