

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39944 of 2022

Arising Out of PS. Case No.-589 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SANGEETA DEVI W/o Bhajan Sah R/o village- More Sarai, P.S.- Sheosagar,
District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Singh S/o Shankar Dayal Singh R/o village- Darup, P.S.- Sheosagar,
District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 11-04-2023 It is submitted that notice issued through ordinary

process on O.P. No.2 has been received by his brother and they

are residing in the same house.

In that view of the matter, let service of notice on O.P.

No.2 be treated to be validly served.

Heard learned counsel for the petitioner and the State.

Nobody appears on behalf of O.P. No.2.

Petitioner apprehends his arrest in a case registered

for the offence punishable under Section 323, 420, 467, 468 and

some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner in

conspiracy with other accused persons sold a piece of land to



the complainant for Rs. 8,25,000/- by registered sale deed on 09.11.2016 stating that the land in their possession whereas they knew the fact that the said land was already sold by Bhagwati Sah and Sanjay Sah to Kamla Devi, who is in possession of the same, and thus, they cheated the complainant.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that no offence u/s 420 of the IPC is made out. As a matter of fact the land in question was purchased by the petitioner and she was in possession of the same and thereafter she sold the land to complainant and she was not aware of the fact that land was already sold by Bhagwati Sah and Sanjay Sah to Kamla Devi. Title Suit No. 198/ 2013 and 198 of 2019 is pending before the court below with regard to possession over the land in question. The dispute is of civil nature. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of her arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Rohtas at Sasaram in connection with Complaint case No. 589/ 2017, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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