

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48648 of 2023

Arising Out of PS. Case No.-163 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Sheela Devi @ Dukhni Devi Wife Of Muso Patel Resident Of Village- Gauripur, P.S. Bihpur, District- Bhagalpur.
 2. Veer Kunwar Sharma Son Of Late Bhagwat Sharma R/O Village- Lalgoal, P.S.- Beldour, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code.

3. As per the prosecution, the informant has filed a criminal case against the petitioners, against whom allegation has been made that the petitioner no.1 has sold 2 *Katha* of land and upon filing an application for mutation the complainant received the information that the said land is in possession of one Ramesh Pandit who was the former purchaser for this purpose but after criminal case has been filed.

4. It is submitted by learned counsel for the petitioners that petitioners are innocent and have committed no offence. Counsel for the petitioners submits that petitioner no.1 is an old

aged lady, who is aged about 88 years and she sold her father's land, which is situated in her *Mayaka*. Counsel submits that prior to selling the said land petitioner no.1 disclosed everything to the purchaser (complainant) and nothing was suppressed by her. He further submits that petitioner no.2 is the eyewitness, who identified the accused no.1. Counsel also submits that under the law the purchaser is duty bound to take every information about the land in question and it is nowhere alleged that the petitioner no.1 has impersonated herself rather according to him it is a civil dispute.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Complaint Case No.163(C) of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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