

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49224 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- BIHIA District- Bhojpur

Prabha Ojha @ Prabha Devi @ Prabha Kumari Wife Of Arvind Kumar Ojha
Resident Of Village- Karja, Ps- Bihiya, Dist- Bhojpur, At Present D/O Late
Bhuwaneshwar Mishra, Resident Of Village- Bharauli, Ps- Sahpur, Dist-
Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Shankar Pathak, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 120(B), 506 & 34 of the Indian Penal Code.

3. As per the prosecution, the informant has alleged that his daughter-in-law has sold certain lands showing that the son of the informant as dead. Due to which the informant has filed this case of Section 420 and others sections of the I.P.C. against the petitioner and other persons.

4. Counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that admittedly, petitioner is daughter-in-law of the informant and

there is matrimonial dispute between the husband and wife, who never used to take care or pay money for maintenance to the wife and as per her knowledge, he is now absconder.

5. Counsel further submits that she has sold the land with a view to maintain the children who was born from her husband and informant is the grand father of those children, but he has also not taken care of her children. Counsel submits that admittedly, in Hindu joint family, the children of the petitioner are the coparcener and they have right in the property.

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

7. In the present facts and circumstances, let the above named petitioner 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 1st Add. Chief Judicial Magistrate, Bhojpur, Ara, in connection with Bihiya P. S. (Bahoranpur O.P.) Case No.87 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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