

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52435 of 2023

Arising Out of PS. Case No.-394 Year-2023 Thana- DANAPUR District- Patna

MADHU KUMARI WIFE OF NAVIN KUMAR RESIDENT OF VILLAGE-
MADHU HERITAGE, VIJAY SINGH YADAV PATH, SAGUNA
KHAGAU ROAD, DANAPUR, PS - DANAPUR, DISTT - PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Advocate
		Mr. Keshav Kumar, Advocate
For the Opposite Party/s	:	Mr. Aditya Narayan Singh-I, A.P.P.
For the Informant	:	Mr. Binod Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-08-2023 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 420 and
406 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a woman and has antecedent of six cases and is the
Director of Arrowtech Infrahome Pvt. Ltd.
4. The informant alleges that she entered into an
agreement with Arrowtech Infrahome Pvt. Ltd. for purchasing
1200 sq. ft. of land, accordingly, an amount of Rs.15,47,500/-
was credited in the ICICI Bank Account of Arrowtech
Infrahome Pvt. Ltd. It is further alleged that Madhu Kumari



(petitioner), the Director of the Company and her husband Navin Kumar, despite receiving the entire consideration amount, are not registering the land. It is next alleged that husband of the informant is employed with the Indian Navy and thus has problem in taking leave. It is also alleged that for the last one year the accused persons are only giving the dates for registration and are adopting delaying tactics.

5. Learned counsel for the petitioner very fairly submits that petitioner does not dispute that an amount of Rs.15,47,500/- was credited in the account of the company. It is further submitted that it may be noted that the company does not intend to part with the land. It is next submitted that the company had entered into an agreement with one Sudhir Kumar for providing the land and the land for which the informant had entered into an agreement is the same land for which the company had entered into an agreement with Sudhir Kumar and he despite receiving an amount of Rs.1,04,41,000/- from the company has not provided the land as such the land could not be transferred. It is also submitted that petitioner will refund the entire amount of Rs.15,47,500/- to the informant which was deposited in the account of the company within a period of four months from today. It is further submitted that petitioner before



surrendering shall deposit an amount of Rs.5 lakhs in the account of the informant.

6. Learned counsel for the informant does not dispute the submissions of the learned counsel for the petitioner and submits that in view of the submissions made he is not objecting the prayer of anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Danapur P.S. Case No. 394 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, if the petitioner does not deposit an amount of Rs.5 lakhs in the account of the informant on the date of surrender, the present order granting provisional anticipatory bail to the petitioner shall not be given effect to. However, if the petitioner by 12.12.2023 does not submit proof indicating deposit of Rs.10,47,500/- in the account of the informant, in that



event the learned trial court shall be at liberty to cancel the provisional anticipatory bail of the petitioner after recording reasons. However, if the petitioner submits proof of depositing Rs.10,47,500/- by 12.12.2023, in that event the provisional anticipatory bail granted to the petitioner shall be confirmed on the same terms and conditions.

9. At this stage, learned counsel for the informant submits that if the entire amount is paid, she shall withdraw the present FIR.

(Satyavrat Verma, J)

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