

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52901 of 2023

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

MAYA DEVI WIFE OF YADUNATH YADAV R/O-KARJA, P.S.-BEHIYA
(BAHORANPUR O.P.), DISTT.-BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Bihiya (Bahoranpur) P.S. Case no. 87 of 2023 registered under sections 420, 467, 468, 120B, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that her son Arvind Kumar Ojha was married to one Prabha Ojha. The marriage broke down and the parties divorced about 12 years ago. It is further stated that the aforesaid Prabha Ojha wrongly described the informant's son as having died and sold a piece of land belonging to the informant to one Maya Devi (petitioner herein) on 27.6.2022 by executing a registered sale deed. The land is in possession of the informant and they continue to pay a rent for the same. The accused persons are giving threats that they will take possession of the land.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even accepting the allegations leveled in the FIR, the petitioner can be said to be a purchaser of a piece of land through a registered sale deed executed by the divorced daughter-in-law of the informant. The dispute, if any, is between the informant and Prabha Ojha the divorced daughter-in-law of the informant. The petitioner has no criminal antecedent.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, together with the petitioner who happens to be a lady not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection Bihiya (Bahoranpur) P.S. Case no. 87 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara.

(Partha Sarthy, J)

Prakash/-

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