

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55002 of 2023**

Arising Out of PS. Case No.-1466 Year-2022 Thana- PATNA COMPLAINT
CASE District- Patna

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MANORAMA SINHA W/O RAMCHANDRA PRASAD SINHA R/O VILLAGE-
BADAHARI, PS. CHHABILAPUR, DIST. NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. PRABHA PRASAD W/O LATE SIDHESHWAR PRASAD R/O MOHALLA-
KHEDAN CHAK GALI MAHARAJGANJ, PATNA CITY, PS. ALAMGANJ, DIST.
PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-11-2023 Heard Dr. Anjani Prasad Singh, learned counsel for

the petitioner and Mr. Akshay Lal Pandit, learned A.P.P. for

the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 1466C/2022 dated 02.12.2022
registered for the offence under Sections 420, 406, 467,
468/34 of the Indian Penal Code.

The petitioner is alleged to have purchased the
land of the complainant by the co-accused, Phulwanti Devi
and Sunil Kumar.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that in fact the petitioner has purchased the land admeasuring 1.667 decimal, Khata No. 145, Khesra No. 2531, Mauza Sabalpur at Rajgir from Phulwanti Devi on 14.06.2017 on consideration amount of Rs. 3,50,000/-. He further submits that according to the complaint, the petitioner in collusion with Phulwanti Devi has sold the land of the complainant's share in favour of Veena Devi. The complainant happens to be gotani of Phulwanti Devi. He further submits that the petitioner has not played any role in the alleged occurrence and she has no concern with the share of the complainant and Veena Devi, who happens to be the beneficiary of the land in question. He further submits that co-accused, Phulwanti Devi and Sunil Kumar have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 23.08.2023 passed in Cr. Misc. No. 53749 of 2023.

Learned counsel for the complainant and learned A.P.P. for the State has opposed the prayer for bail of the



petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner, in the event of her arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 1466C of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case



at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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