

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52757 of 2023

Arising Out of PS. Case No.-811 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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RAM KUMARI DEVI @ RAJ KUMARI DEVI W/O LALAN PRASAD
SINGH VILLAGE BEDA P. S SASARAM DISTRICT ROHTAS

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. RISHI KUMAR S/O SHANTI PRASAD RESIDENT OF YUSUF CHAK
TAKIYA P.O BAZAR SAMITI P S SASARAM (T) DISTRICT ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 20-12-2023

1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Complaint Case No. 811 of 2022 dated 02.09.2022 registered under Sections 323, 327, 341, 420, 421, 467, 405, 415, 417, 418 of the I.P.C. and Section 138 of the Negotiable Instrument Act.

3. As per the allegation made in the complaint petition, the complainant purchased a piece of land in the year 2019 from the petitioner. It has further been alleged that after purchase of land, good relation developed between the two and the petitioner had necessity of more money as such he offered to the complainant to purchase 6.5 decimal of land for which the



complainant paid a sum of Rs. 10,06,500/- on different dates to the petitioner but the land was not transferred. Subsequently the complainant came to know that the land was mortgaged in favour of Bihar State Fertilizer Centre, Gaulakshani because the petitioner had taken loan of Rs. 68,64,000/- after mortgaging the said land. When the complainant demanded his money back, a sum of Rs. 8,70,000/- was given by the petitioner to the complainant but the cheque bounced due to insufficient fund.

4. Mr. Krishna Prasad Singh, learned senior counsel for the petitioner submits that the allegation made in the complaint does not give rise to criminal offence rather the same is a civil dispute. However referring to supplementary affidavit, learned senior counsel submits that both the parties have arrived at an amicable settlement and Rs. 4,50,000/- has been paid by the petitioner in favour of the complainant which would be evident from the compromise petition annexed at Annexure – 2 to the supplementary affidavit.

5. No one appear for the Opposite Party No. 2

6. Regard being had to the submission made by learned senior counsel for the petitioner and the State and taking into consideration the compromise petition at Annexure- 2 to the supplementary affidavit filed by the petitioner, I am inclined to



grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.S. Paswan, Judicial Magistrate-1st Class, Rohtas at Sasaram in connection with Complaint Case No. 811 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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