

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55611 of 2023

Arising Out of PS. Case No.-13651 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Kashi Sharma S/O Late Lallu Thakur R/O Ekta Nagar, Obriya Road, Chandani, P.S- Jagarnathpur, P.O- Hatiya, Distt.- Ranchi (JHARKHAND).
 2. Archana Sharma W/O Kashi Sharma R/O Ekta Nagar, Obriya Road, Chandani, P.S- Jagarnathpur, P.O- Hatiya, Distt.- Ranchi (JHARKHAND).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi W/O Late Kashi Nath R/O Mohalla- Aadarsh Nagar, Phulwari Sharif, P.S- Phulwari Sharif, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Anand Kumar
For the State	:	Mr. Raj Kishor Singh
For the Complainant	:	Mr. Ganesh Prasad Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State assisted by learned counsel for the

informant.

2. The petitioners apprehend their arrest in a case

registered for the offences punishable under Sections 406, 467

of the Indian Penal Code.

3. The prosecution case, in brief, is that the accused

persons being son-in-law and daughter of the complainant had

fraudulently withdrew Rs. 21,00,000/- from the complainant's

account in installments for constructing their house. When the

complainant demanded her money then in spite of returning the



same, the accused told that the same has been spent on complainant's and her husband's treatment.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the complainant and her husband were residing with the petitioners in their house and the petitioners were maintaining the complainant and her husband. After death of her husband, the complainant shifted to the house of her son who is an unemployed person and has concocted this complaint case and filed before the court below through her mother against the petitioners. The son of the complainant has also sold out the house of the mother of the petitioner no. 2 and just to deprive her from giving share, he filed the present complaint case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that it is a civil dispute/money dispute between the parties, let the above named petitioners, be released



on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Complaint Case No.13651(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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