

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58412 of 2022

Arising Out of PS. Case No.-577 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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SANGEETA DEVI w/o- Sanjeev Kumar Sharma @ Sanjeev Kumar R/V-
Top, P.S.- Sahjainpur, District- Patna, At Present R/O- Jai Hind Gali, P.S.-
Alamganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RASHMI SHARMA W/o Abhishek Sharma R/M- Jai Hind Gali, P.S. -
Alamganj, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shyamal Prakash
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar
	:	Mr. Rudra Deo

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioner and learned

APP for the State assisted by learned counsel for the

complainant.

The petitioner is apprehending her arrest in a case
registered for the offence punishable under Section 406 of the
Indian Penal Code pending in the learned court below.

It is alleged in the complaint petition that the
agreement for sale was made between the parties for the
registration of a plot worth of Rs. 7,00,000/-. At the time of
execution of this agreement for sale, Rs.2,00,000/- was given
by the complainant to the accused petitioner as earnest money.



As such on 18.05.2019, the complainant met the accused petitioner and asked her to take Rs. 5,00,000/- from her and get the land registered in her favour or return her earnest money of Rs. 2,00,000, but this culminated an argument between them in which the complainant was threatened by the accused petitioner of dire consequences.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the sale deed was not executed by the petitioner. He submits that petitioner is ready to refund the said amount of Rs. 2,00,000/- to the complainant within six months in four equal installments. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned counsel for the complainant does not deny the proposal given by learned counsel for the petitioner.

As the petitioner is ready to return the alleged amount of Rs. 2,00,000/- to the complainant within six months in four equal installments and she is further ready to pay first installment at the time of furnishing his bail bond, let the petitioner, named above, in the event of her arrest/surrender before the learned court below within a period of six weeks



from today, be released on **provisional bail** for a period of six months, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.577 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned Court below is directed to confirm the provisional bail bond of the petitioner after verifying the fact that the petitioner has paid the entire amount of Rs.2,00,000/- to the complainant as undertaking given by learned counsel for the petitioner in the foregoing paragraph.

(Anjani Kumar Sharan, J)

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