

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61755 of 2022

Arising Out of PS. Case No.-187 Year-2022 Thana- BUXAR District- Buxar

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FULJHARI DEVI Wife of Late Shyam Narayan Sharma Resident of Village -
Purana Chowk Bangali Tola, P.S.- Buxar (Town), District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Buxar Town P.S. Case No. 187 of 2022 registered for the
offence under Sections 147, 148, 149, 341, 323, 427, 420, 386,
406, 467, 468, 471, 504, 506 of the Indian Penal Code.

As per prosecution case, the informant was agreed to
purchase 5 decimal land of Khesra no. 88 through a registered
agreement of Rs. 75,00,000/- and some others persons also
purchased 7 decimal land of the same Khesra through an
agreement to sale in consideration of 75,00,000/-. Total 1
Crore 50 lakh was consideration of the total land 7.12 decimal
of Khesra no. 88 out of which 1 Crore has been paid to the



petitioner. Rs. 47,50,000 has been sent into the bank account of petitioner and rest of Rs. 52,50,000/- was given cash to her. Remaining 50 lakh was to be paid at the time of sale deed within three years. It is further alleged that on dated 26.3.2022, the petitioner along with others named in FIR as well as 8-10 unknown equipped with rifle, gun came at the building and started to vandalized the building. When informant reached and protested, petitioner with others misbehaved with him and threatened to kill him saying that he would be killed if he came at the property. It is further alleged that the petitioner with collusion of Srinath Sharma sold the above land on 22.12.2021 to the others accused named in the FIR.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is a lady and she has falsely been implicated in this case. The petitioner is the descendant of Raghu Mistri and he has two sons namely Kashi Mistri and Ranglal Mistri and the petitioner is from the family of Ranglal Mistri but one Shaym Narayan claims that he is the adopted son of Kashi Mistri who has gifted him the entire property and due to said dispute the petitioner filed a title suit being Title Suit No. 300 of 1998 but the said suit was dismissed vide judgment and order dated



18.11.2019. Against the said judgment and decree, the petitioner preferred a Title Appeal being Title Appeal No. 11 of 2020. During pendency of the appeal, the present informant namely Shailendra Pratap Singh and one Nirad Parasar insisted the petitioner to execute a Mahadnama and they promised that they will pay money but neither the informant nor Nirad Parasar transferred any money in the account of the petitioner. It is further submitted that the petitioner has not executed any sale deed with regard to the land and the informant has wrongly alleged that he has transferred Rs. 47,50,000/- in the account of the petitioner and 52,50,000/- was given as cash. She has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 13.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Buxar Town P.S. Case No. 187 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Buxar.

(Sunil Kumar Panwar, J)

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