

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64721 of 2023

Arising Out of PS. Case No.-742 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Chandrakala Devi D/O Singasan Singh Resident Of Village Suryapura P.O
Suryapura P.S Suryapura District Rohtas

... .. Petitioner

Versus

1. The State of Bihar
2. Suresh Singh Son of Sambhu Singh Resident Of Village Suryapura P.O
Suryapura P.S Suryapura District Rohtas

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Indradeo Prasad, Advocate
For the State	:	Mr. Md. Fahimuddin, APP
For the O.P. No. 2	:	Mr. Om Prakash Upadhayay, Advocate Mr. Abhay Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Complaint Case No. 742 of 2022 registered for the offences punishable under Sections 420, 406, 379, 307, 323, 511 and 34 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 05.11.2022 the accused persons including this petitioner came at the house of complainant and started abusing the complainant and assaulted him. It is alleged that co-accused Satrudhan Singh snatched golden chain worth Rs.75,000/- and co-accused Santosh Singh



snatched Rs.900/- from the pocket of the complainant and also threatened to kill him. It is further alleged that the said occurrence took place on account of a land dispute between the parties. It is alleged that co-accused Arjun, Bharat and Shatrudhan fraudulently sold the land of the complainant which they took for cultivation to this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no idea about the dispute between the co-sharers of the said land which she purchased.

5. Learned counsel for the complainant has opposed the prayer for anticipatory bail of the petitioner, however, does not controvert that this petitioner is the purchaser of the land for consideration.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the uncontroverted submission of the petitioner that she is the purchaser of the land for consideration and she has no idea about the dispute between the co-sharers of the land, she has otherwise no criminal antecedent, hence, in the nature of the dispute, this Court directs that in case



of her arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Complaint Case No. 742 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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 her 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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