

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65778 of 2023**

Arising Out of PS. Case No.-742 Year-2022 Thana- GAURICHAK District- Patna

1. Pratima Devi Wife of Late Ashok Kumar Singh Resident of village - Lakhna, P.S.- Gaurichak, District - Patna.
2. Khushboo Kumari Daughter of Late Ashok Kumar Singh Wife of Chandan Kumar, Resident of village - Lakhna, P.S.- Gaurichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                             |
|----------------------------|---|---------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Gajendra Kumar Jha, Advocate<br>Mr.Sushil Kumar Jha, Advocate<br>Mr. B.B. Jha, Advocate |
| For the Opposite Party/s : |   | Mr.Choubey Jawahar, APP                                                                     |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      19-10-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Gaurichak P.S. Case No.742 of 2022 registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code. The petitioners have got no criminal antecedent.

3. As per the prosecution story, on 30.01.2016 the petitioner no.1 and her son executed a baibeyana in favour of the informant in respect of a piece of land situated at Mauza Jaitia measuring area 2 bighas and 3 kathas and she has given an amount of Rs.5 lacs on 20.01.2016, Rs. 1 lac on 01.02.2016, Rs.7 lacs on 17.02.2016, Rs. 6 lacs on 24.02.2106, RS. 6 lacs on



08.04.2016 and also Rs. 10 lacs in two installments. It is alleged that with an intention to grab the money, the petitioner no.1 and her son executed an absolute sale deed in favour of their daughter and sister on 27.04.2016 but after the said execution of the said land, the son of petitioner no.1 received Rs. 15,27,000/- on 14.09.2016 and then the informant requested them to execute the absolute sale deed then they told that they have executed the absolute sale deed in favour of daughter and sister. It is further alleged that on 19.09.2016 on the instruction of the petitioner no.1 and her son, the petitioner no.2 executed the absolute sale deed on 19.09.2016 in favour of the informant and others and thereafter they mutated their name before the Circle Officer, Patna on 29.10.2016 and thereafter with an intention to grab the money the petitioner no.2 executed the absolute sale deed in favour of his brother on 09.01.2017.

4. Learned counsel for the petitioners submits that the allegations levelled against the petitioners are false and baseless as no such occurrence has taken place on the alleged date and time. Learned counsel submits that the informant has not paid the total consideration amount and threatened the petitioners to execute absolute sale deed in her favour. It is submitted that the petitioners have no criminal antecedent.



5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it appears from the First Informant Report that after receiving a sum of Rs.35 lacs, the petitioner no.1 and her son executed a sale deed in favour of the informant on 19.09.2016 but thereafter in respect of the same piece of land the petitioner no.1 along with her son executed a sale deed on 09.01.2017 in favour of her daughter who is petitioner no.2, considering the kind of transactions done by the petitioners in respect of the same piece of land which has already been sold to the informant, this Court is not inclined to grant privilege of anticipatory bail to the petitioners. Prayer is refused.

7. In case the petitioners surrender and pray for regular bail in the learned court below within a period of six weeks from today, their prayer for regular bail shall be considered on their own merit without being prejudiced by the order of this Court.

8. This application is dismissed.

**(Rajeev Ranjan Prasad, J)**

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