

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66575 of 2022

Arising Out of PS. Case No.-219 Year-2019 Thana- GHORASAHAN District- East
Champaran

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Sunaina Devi Wife of Bedami Thakur Resident of Village- Bishunpur, P.S.-
Jharokhar(Ghorasahan), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 323, 327, 341, 379, 384,
387, 406, 420, 467, 468, 471/34 of the Indian Penal Code.

According to prosecution case, the informant
purchased a piece of land from the petitioner on 26.08.2015
through registered sale deed and he came in possession over the
said land. It is further alleged that after three years mother of
Ravindra Thakur sold the same piece of land in favour of co-



accused Chandu Paswan without any title after preparing forged sale deed without payment of any consideration amount. On 10.12.2019 when the informant went to construct his house over the said land, co-accused, Chandu Paswan along with other accused persons, variously armed, assaulted the informant and his labourers by fists and slaps and demanded Rs. One lakh as ransom. It is further alleged that co-accused, Chandu Paswan pointed pistol on the chest of informant and co-accused, Naresh Kumar snatched gold chain worth Rs.35,000/- from his neck.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner has not committed any offence as alleged in the complaint petition/F.I.R. He further submits that it appears from the F.I.R. (complaint petition) that the present matter relates to partition and civil dispute and no criminal offence is made out against the petitioner. He further submits that in fact, the co-accused person, namely, Ravindra Thakur has sold out the land in question to complainant long back in the year 2015 and thereafter, the complainant was enjoying over the said land. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that



similarly situated, co-accused, namely, Ravindra Thakur has been granted bail by this Court vide order dated 17.05.2022 passed in Cr. Misc. No. 69939 of 2021. The petitioner is in custody since 13.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ghorasahan P.S. Case No. 219 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



3. 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.

(Rajesh Kumar Verma, J)

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