

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65455 of 2022

Arising Out of PS. Case No.-630 Year-2021 Thana- PHULWARISHARIF District- Patna

Baby Farzana Khatoon, Wife of Md. Shafik @ Md. Shafik Alam, Resident of
Murgiyachak, P.S.- Janipur Phulwari Sharif, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D. K. Sinha, Sr. Advocate Mr. Alexander Ashok, Advocate Mr. Shailesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey, A.P.P.
For the Informant	:	Mr. Raj Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 05-05-2023 Heard the parties.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 419, 420, 504/34 of the Indian Penal Code.

It is alleged that this petitioner along with other accused persons had taken Rs. 10 lacs from the informant as consideration money for selling the house but did not execute sale deed as per agreement and cheated the informant.

Learned counsel for the petitioner denies the prosecution case and submits that petitioner has not taken any money from the informant. He next submits that petitioner is



innocent and informant is own Bhatiji of the petitioner. There is no agreement paper regarding sale and purchase of any land and no chit of paper has been filed on behalf of the informant to support the allegation against the petitioner. Petitioner has got clean antecedent.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation against this petitioner that she cheated the informant after receiving the considering money.

Considering the fact that there is no chit of paper supporting the allegation against the petitioner, let the above named petitioner in the event of her arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate XIV, Patna in connection with Phulwari Sharif P. S. Case No. 630 of 2021, subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure that:-

“1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the



court below, and on his absence on two consecutive dated without sufficient reason, his 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 libery to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

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