

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74820 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- SANGRAMPUR District- Munger

Niranjana Singh W/O Amrendra Shekhar Singh Resident Of House No-34,
Road No-34, Road No- 4a, Magistrate Colony, Ashiana Nagar, P.S.- Digha,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Mishra

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-12-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Sangrampur P.S. Case No. 202 of 2022 dated 02.08.2022 registered for the offences punishable under Sections 406, 420, 504 and 506 read with 34 of the Indian Penal Code.

4. As per the prosecution case, according to the partnership deed that the informant gave Rs. 46,50,000/- for the sale of land to the landlord Shashank Shekhar Singh, Amrendra



Kumar Singh and the petitioner. The said amount was received by the accused Anil Singh but under a plan all three landlords and the three accused partners of the informant disposed of 49 decimals of land to other persons and refused to return Rs. 46,50,000/- to the informant. It is further alleged that when the informant called the accused partners for compromise, they abused him.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel for the petitioner placed reliance on the judgment in the case of **Bimla Tiwari Vs. State of Bihar and others (Special Leave Petition (CRL.) Nos. 834-835 of 2023)** at para 10, the Hon'ble Apex Court has held that "we would reiterate that the process of criminal law cannot be utilized for arm-twisting and money recovery, particularly while opposing the prayer for bail." The petitioner is a lady. It is a case of civil dispute.

The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances



of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Munger in connection with Sangrampur P.S. Case No. 202 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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