

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8919 of 2024

Arising Out of PS. Case No.-360 Year-2021 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Rina Kumari W/o Gorelal Prasad, R/o Village-Chulahi Bigha, P.S.-
Warsaliganj, Dist.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar, Patna
2. Babuni Devi W/o- Late Tanik Singh R/o- Village- Ghostaba, P.S.- Kadirganj
(Nawada), Dist.- Nawada.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The accused/petitioner is named in the complaint
and apprehending her arrest in connection with Complaint Case
No.360 of 2021 in which cognizance has been taken for the
offences punishable under Sections 467, 468, 471, 420 and 120-
B of the Indian Penal Code.

3. Allegation against the petitioner is to cheat
complainant along with other co-accused persons to get sale
deed executed in her favour, for a piece of land measuring 1
acre 15 decimal, where specific description of land in issue is
available in the complaint petition itself.



4. It is submitted by learned counsel that the cognizance in this matter was taken only under Section 420 of IPC and, where no allegation to create any forged document found *prima facie* true. It is pointed out that petitioner is a *bona fide* purchaser, who purchased the land in issue after paying full consideration amount and only after change of mind, post-sale deed execution, the present false complaint was lodged against the petitioner. It is submitted that issue in complaint petition appears purely civil dispute and the present complaint case alleged to be registered to create a legal pressure only. While concluding argument, it is submitted that petitioner is a lady of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission, as sale deed appears executed in favour of petitioner as per narration of complaint petition itself, where petitioner appears to be a lady of clean antecedent, accordingly, the above-named petitioner is directed to be released on bail in the event of her arrest or surrender within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Nawada in connection



with Complaint Case No.360 of 2021, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Chandra Shekhar Jha, J.)

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