

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12315 of 2024

Arising Out of PS. Case No.-664 Year-2023 Thana- MAJHAULIA District- West Champaran

Mst. Meera Devi W/O Late Ramsagar Prasad, R/O Village- Karamwa, Ward
No.7, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr. Sharad Kumar Verma, the learned
counsel for the petitioner and Mr. Shailendra Kumar Singh, the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Majhauria PS Case No. 664 of 2023, FIR dated
05.08.2023, registered for the offences punishable under
Sections 420, 406 and 506 read with Section 34 of the Indian
Penal Code.

3. According to prosecution case, one Anuj Kumar
and his mother Mst. Meera Devi, who is the petitioner in this
case, sold a piece of land that belonged to others, to the
informant in Rs. 3,60,000/- (Rupees three lakhs and sixty
thousands). It is further alleged that when the informant
came to know about the fraud and demanded his money back



they refused to do so and even threatened him with dire consequences.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case, merely on the ground that the petitioner is mother of the co-accused person namely, Anuj Kumar and upon perusal of the FIR, it appears that the son of the petitioner has executed a sale-deed in favour of the complainant in the year 2016 and pursuant to that, the present FIR is instituted against the petitioner and her son, and it appears that the delivery of the possession was given to the informant in the year 2016 itself, and mutation was also in favour of the informant and due to ulterior motive the present FIR was instituted only to harass the petitioner and her family members.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that she along with her son has cheated the informant and apart from that the petitioner carries two criminal antecedents, but fairly admits that he has got bail in the said cases.

6. Considering the aforesaid facts and circumstances



and the fact that the sale-deed, the delivery of the possession and the mutation were all in favour of the informant in the year 2016, let the petitioner, above-named, in the event of her arrest or surrender before the Court below, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Chief Judicial Magistrate, West Champaran at Bettiah, where the case is pending in connection with **Majhulia PS Case No. 664 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). 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.

(ii). 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.

(iii). 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)

Shahnawaz/-

U		T	
---	--	---	--

