

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25406 of 2024

Arising Out of PS. Case No.-826 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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SHANTI KUMARI WIFE OF AWANINDRA KUMAR MISHRA
RESIDENCE OF VILLAGE - GAYA RANIGANJ GARERIYA, P.S. -
IMAMGANJ, DISTRICT - GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANUJ KUMAR SINHA S/o Late Jamuna Prasad RESIDENCE OF
VILLAGE - RANIGANJ GARERIYA, DISTRICT - GAYA

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Akash Anand, Adv.
For the State : Mr.Dilip Kumar No.1, APP
For the Complainant : Mr.Aryan Singh, Adv.
Mr.Gajendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 27-09-2024 Heard learned counsel for the petitioner, learned counsel

for the complainant and Mr. Dilip Kumar No.1, learned

Additional Public Prosecutor for the State.
2. Earlier by order dated 17.08.2023, passed in Cr. Misc.

No.46132 of 2023, the anticipatory bail application of the

petitioner was withdrawn by learned counsel for the petitioner

on the instruction of the petitioner. This is the second attempt of

petitioner for grant of anticipatory bail.
3. The petitioner apprehends her arrest in a case registered

for the offence punishable u/s 406, 420, 323, 506 of the IPC.
4. As per the prosecution case, the complainant along with



four persons purchased 16 decimal land at Rs.12,00,000/- from one Awantika Mishra. On 01.11.2022, when the complainant went to his plot, the husband of the petitioner and other co-accused raised objection and took out pistol and raised possession over the land.

5. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to grudge. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner is wife of the co-accused Awanindra Kumar Mishra, who has been granted anticipatory bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No.10793 of 2024. It is submitted that husband of the petitioner has got the land in question from his grandmother as a part of will and has transferred his portion of land to his wife (petitioner herein), thus no fraud has been made. A civil suit is also pending in the Court below bearing Title Suit No.110 of 2022. Petitioner has no criminal antecedent.

6. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, since the similarly situated co-accused has been granted bail, let



the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.826 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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