

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30850 of 2024

Arising Out of PS. Case No.-589 Year-2021 Thana- SIRDALA District- Nawada

Babita Devi W/o Ramesh Prasad Resident of Village-Dhiraundh, P.S.-
Sirdalla, District-Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Sirdalla P.S. Case No. 589 of 2021 registered under Sections 420, 467, 468, 471/34 of the Indian Penal Code lodged on 09.12.2021 by the informant, Manju Devi.

3. As per the prosecution story, the informant alleged that a piece of land was purchased and name mutated in the circle office. However, Balchand Yadav executed forged sale-deed in favour of the present petitioner in the year 2019 with the sole purpose to grab the land in which other accused persons also cooperate. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that she is the lady and the purchaser of the land little realizing that the



land which has been transferred to her belongs to someone else and forged document has been created.

5. Learned APP for the State opposes the prayer submitting that she is the beneficiary.

6. Taking into account the fact that the allegation of preparing forged paper is on Balchand Yadav, the same has subsequently been transferred to this lady, the main culprit is Balchand Yadav, the petitioner being the lady, she do not have criminal antecedent, F.I.R. lodged and will be facing the trial, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Nawada in connection with Sirdalla P.S. Case No. 589 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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