

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30706 of 2024

Arising Out of PS. Case No.-2549 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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KAMAR JAHAN WIFE OF JUNAID AKHTAR @ JUNAID AKHTAR
SIDDIQUE RESIDENT OF VILLAGE- MAHAUAVAN, PS- KUCHAIKOT,
DIST- GOPALGANJ

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MURAD ALI SON OF AASH MOHAMMAD Village - ATTARSUA, PS-
SAHAYAK SARAI, DIST- SIWAN

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Amir Alam, Advocate
For the State	:	Ms. Renu Kumari, APP
For Opposite Party No.2	:	Mr. Asif Kalim, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends her arrest in a complaint case registered for the offence punishable under Sections 420, 406, 504, 506 and 34 of the Indian Penal Code.

3. The case of the complainant in brief is that both parties entered into an agreement to sell a property in respect of which, complainant gave Rs. 2,50,000/- to this petitioner. It is alleged that despite taking the consideration money, this petitioner refused to execute the sale deed in favour of complainant and also failed to return the said amount.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that from bare perusal of the complaint petition it is apparent that dispute involved in the present complaint case is with regard to sell and purchase of land, which is purely civil in nature. None of the acts allegedly committed by this petitioner would give rise to any criminal liability. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of dispute between the parties and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Siwan, in connection with Complaint Case No. 2549 of 2022, subject to condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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