

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36607 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- CIVIL LINE District- Gaya

Seema Devi, aged about 54 years, Gender-female, wife of Dilip Kumar,
resident of Mohalla- Baiju Bigha, PS and PO- Bodhgaya, District-Gaya
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Civil Lines PS Case No.257 of 2023 dated 13.04.2023,
instituted under Sections 147, 149, 420, 467, 468, 471, 456, 427
and 379 of the Indian Penal Code.

3. The prosecution story, in short, is that the
informant, who is a Revenue Officer, got a video and
photograph on his mobile from the SDO, Gaya, from which he
came to know that on the alleged date of occurrence boundary
wall of Government High School i.e. +2 Haranchand High
School, Gaya, was being damaged with JCB Machine by the
accused persons. Upon which, the informant along with police
personnel from Civil Lines PS reached at the place of
occurrence and found some part of the boundary wall and gate



was demolished; six tractors were found engaged in filling soil on the land of the school. The driver of the tractors were apprehended, who disclosed that accused Rajiv Ranjan Chaudhary is the owner of the said land, who executed deed of agreement in favour of accused Jitendra Pratap Singh and others. It is also alleged in the FIR that all the accused persons were engaged in damaging boundary wall of government school with the help of JCB Machine and they were trying forcibly to take possession of the government lands.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case. It is also submitted that the petitioner has no concern with the school land and the land which the petitioner has got under agreement through her brother is altogether different land. It is also submitted that the land under agreement bearing Khata No.102 is in the name of Raja Ram Pasi. Raja Ram Pasi was settler from ex-landlord by virtue of *Hukumnama*. After death of Raja Ram Pasi, his son Chuni Chaudhary came in possession and after the death of Chuni Chaudhary, Rajiv Ranjan Chaudhary came in possession over the land and is still continuing in possession and also paying the rent to the State of Bihar. Learned counsel further submitted that there is no



specific allegation against the petitioner. Allegation against the petitioner is general and omnibus. It is further submitted that co-accused, Rajeev Ranjan Choudhary, has been granted anticipatory bail by this Court vide order dated 11.10.2023 passed in Cr. Misc. No.61137 of 2023. Several other co-accused have also been granted bail vide Annexure-4 series by different co-ordinate Benches of this Court as well as by this Court. Petitioner is a lady having no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya, in Civil Lines PS Case No.257 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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