

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40041 of 2024

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

Usha Devi, aged about 50 years, female, wife of Ramesh Prasad, Village-
Ashok Nagar, PS- Rampur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, 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. Learned counsel further submitted that there is no specific allegation against the petitioner. Petitioner is not named in the FIR. It is further submitted that on 23.09.2021, Rajeev Ranjan Chaudhary entered into an agreement with one Seema Devi and the petitioner for the purpose of sale of the land and due to that the petitioner has been made accused in this case. 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 a co-ordinate Benche of this Court as well as by this Court. Further, submission is that co-accused, Seema Devi has been granted bail today itself by this Court vide Cr. Misc. No.36607 of 2024. 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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