

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59203 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Smt. Sanyukta Devi W/O Brij Nandan Singh Resident of Village-
Bhagwatpur, P.O.- Jalpura, P.S.- Chandi, District- Bhojpur, At Present C-36,
Police Colony, Anisabad, P.S. Gardanibagh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramesh Kumar S/O Awadhesh Singh R/O Village- Pararia, P.S- Karakat
(Gorari), Distt.- Rohtas, At present- South Bihar Gramin Bank, Head Office,
Sri Vishnu Commercial Complex, N.H. 30, Ashochak, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Kant, Adv.
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP.
For the Complainant	:	Mr. Patanjali Rishi, Adv.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the Complainant.

2. The petitioner apprehends her arrest in connection
with Complainant Case No. 205(C) of 2023 dated 20.02.2023,
instituted for the offence punishable under Sections 467, 468,
420, 120(B)/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that complainant
filed a complaint case against the petitioner and one Vikash
Kumar, alleging that they conspired to cheat him by selling a
disputed piece of land. Further, the complainant claims that he
bought the land in 2015 for Rs. 20 Lakhs plus additional



expenses total Rs. 28,30,825/- but later he discovered that the vendors had no right to sale the land due to the cancellation of their election as being President and Vice-President of the Housing Society. The land was resold to one Rajeev Kumar, who filed a criminal case and sent a legal notice demanding of Rs. 71,30,202/- from the petitioner and Rs. 1,92,019/- from co-accused, Vikash Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she is falsely implicated in this case. It is further submitted that the petitioner purchased the aforesaid land in the year 2007 from Abhay Kumar Singh and Vijay Kumar Singh President and Vice-President-cum-Secretary of Adarsh Co-operative Housing Construction Committee Ltd. after purchase, her name was mutated and *jamabandi* was created. It is further submitted that on 06.06.2015 petitioner executed the sale deed in favor of the complainant thereafter the said land was mutated and the complainant constructed boundary around the land. It is also mentioned in the complaint petition that boring and piling are also installed in the aforesaid land. It is next submitted that after formation of the new Committee, Managing Committee of the Co-operative Society filed an appeal before DCLR against the mutation order in favor



of the petitioner who set aside the order of mutation. Thereafter, the petitioner moved before Collector and filed a Mutation Revision Application No. 33 of 2022-23 and 24 of 2022-23 which has been admitted on 30.08.2022 and the matter is pending for final adjudication. It is further submitted that the case is purely of civil nature even if the entire allegation is considered to be true. Lastly, it has been submitted that no offence is made out against the petitioner and petitioner is of advance age lady having one criminal case against her.

5. Learned A.P.P. as well as learned counsel for the complainant have opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 205(C) of 2023, she will be released on anticipatory 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 Additional Chief Judicial Magistrate-II, Danapur, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

(i) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(ii) One of the bailors will be her own blood relation, preferably father, mother, brother, sister and or her husband

(iii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iv) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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