

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64718 of 2024

Arising Out of PS. Case No.-135 Year-2015 Thana- COMPLAINT CASE District- Lakhisarai

Sunita Devi Wife of Sadhu Yadav, Resident of Village - Shahnagar, P.S. -
Ramgarh Chowk, District - Lakhisarai.

... .. Petitioner

Versus

1. The State of Bihar.
2. Adhin Yadav S/O- Banbari Yadav Resident of Village- Shahnagar, P.S.-
Ramgarh Chauk, District- Lakhisarai

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Udbhav Udbhav, Advocate

For the Opposite Party : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Heard Mr. Udbhav Udbhav, the learned counsel for

the petitioner and Mr. Md. Mushtaque Alam, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Complaint Case No. 135C of 2015, registered

for the offences punishable under Sections 420, 467, 468 and

120(B) of the Indian Penal Code.

3. According to the prosecution case, the co-accused

persons under a conspiracy, got registered a forged sale deed of

21 decimals out of 67 decimals in favour of co-accused person

namely, Shyam Sundari Devi @ Shyama Devi with respect to

the land of the complainant situated in mauza Shahnagar. It is



further alleged that accused no. 2 namely, Shyam Sundari Devi @ Shyama Devi has no right to execute a sale deed in favour of accused no. 3 namely, Sunita Devi.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that in fact, the petitioner has purchased the land in question from one Shyam Sundari Devi @ Shyama Devi through a registered sale deed dated 05.12.2012 and the said Shyam Sundari Devi @ Shyama Devi has purchased the said land from one Lakhan Yadav through a registered sale deed dated 28.09.1989. He further submits that the petitioner after paying the consideration amount for the land in question has purchased the said land from Shyam Sundari Devi @ Shyama Devi and in view of the aforesaid, no case is made out under the aforesaid Section against the petitioner.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has approached this Court after delay of nine years.



6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and she has purchased the land in question after paying the consideration amount for the said land to one Shyam Sundari Devi @ Shyama Devi in the year 2012 itself, let the petitioner, above-named, in the event of her arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, where the case is pending in connection with **Complaint Case No. 135C of 2015**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the learned trial Court.

(ii). 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.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed her criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

