

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66222 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- GOPALPUR District- West Champaran

Sudha @ Sudha Devi W/o Late Birendra Prasad R/o vill - Ghogha, P.S. -
Gopalpur, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra

For the Opposite Party/s : Ms.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-10-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that the land in dispute as detailed in the FIR belongs to
her and Jamabandi is running in the name of her father-in-law
and she is having her house over Khesra No.1020 which was
rented to Hareram vide rent agreement dated 29.01.2024, but
when she requested Hareram to vacate the house the accused
persons including the petitioners started claiming the said land
as their on the ground that the land was sold in favour of
petitioner, further they showed the sale deed which is a forged



document and does not bear the signature of her family members, nor the sale deed is available in the registry office.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the land in question was purchased by petitioner from Babu Shivnandan Prasad, father-in-law of the informant vide registered sale deed dated 10.06.1975 (Annexure-2). It is next submitted that petitioner is mother of Deepak and Pradeep. It is next submitted that after the land was purchased for some reason the mutation of the land could not be done, but then the land was mutated in favour of the petitioner by an order dated 25.02.2021 (Annexure-3) by the Circle Officer, Chanpatiya, thereafter, Land Possession Certificate dated 07.06.2022 was issued in favour of petitioner (Annexure-4). It is next submitted that order of mutation dated 25.02.2021 was challenged in Mutation Appeal No. 25 of 2022 by the informant before the DCLR and the DCLR by order dated 22.11.2022 (Annexure-5) set aside the order of mutation against which petitioner filed a revision before the ADM being Revision Case No. 96 of 2022, it is further submitted that the ADM by his order dated 10.08.2024 set aside the order dated 22.11.2022 passed by the DCLR and thus the mutation of petitioner was



restored. It is next submitted that in Revision Case No. 96 of 2022 the informant had also appeared. It is thus submitted that a purely civil dispute has been given a criminal colour. It is next submitted that Deepak, Pradeep and Hare Ram had approached this court seeking anticipatory bail by filing Cr. Misc No. 65129 of 2024 and the same was allowed by an order dated 10-9-2024.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gopalpur P.S. Case No.20 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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