

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68183 of 2023

Arising Out of PS. Case No.-590 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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TETRI DEVI wife of Yogendra Mahto Village- Akbarpur Pitaunjhiya
Ramnagar W.No-15, Sari Ps- Warisnagar Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Kumar S/O Late Radha Mohan Poddar R/O Mohalla- Bahadurpur,
Ward No. 26, P.S- Town, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jitendra Narain Sinha, Advocate
For the State	:	Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends her arrest in a complaint case registered for the offence punishable under Sections 120B, 419, 420, 406, 323, 467, 468, 472, 427 and 504 of the Indian Penal Code.

3. As per prosecution case, allegation against this petitioner is that she, along with co-accused Jagarnath Mahto, took a loan of Rs. 3,72,000/- from the complainant in the name of Kewala but, later on, they neither returned the money nor executed the sale deed in favour of the complainant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in this case. The petitioner had never taken the loan



in question and on the basis of forged papers, this false and concocted case has been lodged to pressurize the petitioner and grab her land. Moreover, the dispute is of civil nature, for which the complainant has got alternative remedy before the Civil Court of competent jurisdiction. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Complaint Case vide C.R. No.590 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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