

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75889 of 2023

Arising Out of PS. Case No.-3035 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Smt. Asha Devi, W/o - Ranjeet Singh, Village- Sherpur P.O- Dihuli P.S. -
Dulhin Bazar Dist- Patna.
 2. Ranjeet Singh son of Chand Kishor Ray Village- Sherpur P.O- Dihuli P.S. -
Dulhin Bazar Dist- Patna.

... .. Petitioners

Versus

1. The State of Bihar
2. Babita Devi wif eof Nagendra Pathak Village- Faridpur Jamui Po- Jamui Ps-
Dulhin Bazar Dist- patna

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Shovendra Kumar, Advocate
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioners and Mr.

Jharkhandi Upadhyay, learned APP for the State.

2. The accused-petitioners, named in the complaint case, are apprehending their arrest in connection with Complaint Case No. 3035 of 2020 registered for the offences punishable under Sections 420, 465, 468, 471, 323, 341, 379 and 120-B of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. Allegation against the accused-petitioners, as per



narration of the complaint case, is to cheat the complainant, where by way of impersonation, the land, which belongs to her, was sold to the accused persons.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the issue arises out of land dispute, which was given a criminal colour by lodging the present false complaint case purely based on false and imaginary grounds in very planned and formulated manner. It is submitted that father-in-law of complainant, as alleged, had solemnized another marriage, which was the reason for all such property dispute for which Title Suit No. 44 of 2020 was filed, which is pending before the court of learned Sub-Judge, Paliganj, Patna for deciding the substantial issues between the parties. While concluding the argument, learned counsel submits that petitioner is a lady having clean antecedent and she herself the victim of the circumstances.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as the present complaint case was



lodged in the background of land dispute for which a title suit is pending, coupled with the fact that petitioners have clean antecedent, accordingly, above-named petitioners, in the event of their arrest/surrender within a period of four weeks from today, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Complaint Case No. 3035 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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