

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77666 of 2023

Arising Out of PS. Case No.-272 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

Vibha Rani, wife of Ranjeet Kumar, Village- Meghi Ps- Deepnagar Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate
For the State	:	Md. Ataur Rahman, APP
For the Informant	:	Mr. Ghanshyam, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this case, the petitioner is apprehending her arrest in connection with Laheri P.S. Case No. 272 of 2023, registered for the offences under Sections 406, 420, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and her co-accused husband took advance money of Rs. 31 lakh from the informant for transferring of some land and in this manner they took Rs. 36,72,000/- and also executed a document on which the petitioner also put her signature. However, when the informant insisted for presentation of the said paper before the registration office, the petitioner and her husband refused and later on denied to execute the transfer paper in favour of the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Petitioner has no role in execution of the deed of agreement or preparation of sale papers for transfer of the land. Informant has not paid any amount to the petitioner and the amount was transferred to the account of the husband of the petitioner. Petitioner has no role in the whole transaction. Land in question is the ancestral property of her husband and there was some dispute with regard to title and for this reason sale deed could not be executed. Moreover, the petitioner has no right to execute the sale deed with regard to the said land. For the same occurrence, son of the informant has also filed Nagarnausa P.S. Case No. 62 of 2023 without disclosing the fact that his mother had already filed Laheri P.S. Case No. 272 of 2023. Except for the said case, petitioner is having clean antecedent. Petitioner is a teacher and co-accused husband is already in custody.

5. Learned APP as well as learned counsel for the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioner is accomplice in wrong doings of her husband and she was present on every occasion. Learned counsel further submits that Nagarnausa P.S. Case No. 62 of 2023 has not been lodged for the same occurrence as there are two different occurrences for which two different cases have been lodged.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of specific allegation against the petitioner for the offence as alleged and further considering the clean antecedent of petitioner coupled with strong possibility of false accusation, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Naland at Bihar Sharif/court concerned in connection with Laheri P.S. Case No. 272 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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