

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78089 of 2024

Arising Out of PS. Case No.-4507 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Swaran Kiran W/o- Varun Kiran @ Varun Kumar Resident of Bihari Kunj, Makhaniya Kuan, P.S. Pirbabore District- Patna
 2. Pratibha Prasad W/o- Late Ramesh Prasad Resident of Bihari Kunj, Makhaniya Kuan, P.S. Pirbabore District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Kumar Sinha S/o- Late Bindeshwar Prasad R/o- Bindeshwar Plaza 21 Telgraph Colony, Kidwaipuri Po Ps- Buddha Colony Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Parul Prasad, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 28-11-2024 1. Heard learned Counsel for the petitioners and
learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Complaint case no. 4507(C) of 2023, disclosing offences punishable under Sections 323, 468/34 of the Indian Penal Code.

3. The prosecution story, as per the allegation made in the complaint, is that the complainant executed a lease deed in favour of the petitioners for running a medical shop in the ground floor of the residence on 15.11.2018 for a period of 09 years with a condition that leased property would not be sub-leased but after some time, the complainant came to know that



by forging the lease deed, the sub-leased clause 5 has been deleted by the petitioners fraudulently and the premises have been sub-leased in favour of accused no. 8 and 9. When the complainant protested, petitioners threatened him of dire consequences.

4. Ms. Parul Prasad, learned Counsel for the petitioners submits that petitioners are ladies and have falsely been implicated in this case due to landlord and tenant dispute. Learned counsel further submits that no interpolation has been made by the petitioners in the lease deed and original copy of the lease deed is with the complainant. Accused no. 8 and 9, who are the staffs of the medical shop, misused their position and applied for drug licence for the premises in their name, for which the petitioners have valid lease deed for a period of 09 years. She also submits that now, the keys of the tenanted premises have been handed over to the complainant by the petitioners.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that present case is related to a dispute between landlord and tenant and the petitioners are ladies, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.



7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) 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. 4507(C) of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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