

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84094 of 2023

Arising Out of PS. Case No.-458 Year-2022 Thana- MURLIGANJ District- Madhepura

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RUPA DEVI @ RUPA KUMARI D/O VINDESHWARI PRASAD SAHA
R/O VILLAGE- NAGAR PANCHAYAT MURLIGANJ, WARD NO.-9, P.S.-
MURLIGANJ, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 26-04-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Murliganj Police Station Case No. 458 of 2022, dated 07.11.2022, disclosing offences punishable under Sections 341/323/379/420/354-B/255/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that about 10 years back, the informant had allegedly given a sum of Rs. 12 lacs to the petitioner for purchasing a piece of land, bearing Khata no. 148, Khesra no. 2362, area 12 kathas and 12 dhurs, situated near Murliganj Block Office, in the district of Madhepura. The registry of



the land was not done due to the fact that the land was recorded in the name of Government of Bihar. The allegation is that the petitioner along with other co-accused person duped the informant and took a sum of Rs. 12 lacs fraudulently in the name of selling the land, which is owned by the Government. It has further been alleged that on 28.07.2022 in the evening, when the informant had gone to the land in question, the petitioner along with 4-5 unknown persons abused the informant, pulled her hair, snatched her golden chain and earrings and threatened her with dire consequences.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. It is further submitted that from perusal of First Information Report, it would be evident that a sum of Rs. 12 lacs was allegedly given by the informant to the petitioner about 10 years back. Referring to Annexure P-3, learned counsel submits that the petitioner is the owner of the land in question and revenue receipt of the land, in question, has been issued in her favour. Referring to Annexure P-2, he submits that the petitioner, by way of written complaint to the Murliganj Police



Station, alleged that the husband of the informant was forcibly constructing house over the land in question. It is also submitted that the First Information Report has been lodged after more than three months of the alleged date of occurrence, which took place on 28.07.2022. He next submits that co-accused Dhanraj Surana has been granted anticipatory bail by this Court, vide order, dated 18.10.2023, passed in Criminal Misc. No. 64056 of 2023.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is a lady, the First Information Report has been lodged after inordinate delay of about three months and co-accused person has been granted anticipatory bail by this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released 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 Judicial Magistrate, 1st Class,, Madhepura, in connection



with Murliganj Police Station Case No. 458 of 2022,
subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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