

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3505 of 2024

Arising Out of PS. Case No.-1477 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Shushma Sinha wife of Anil Kumar Sinha Resident of Mohalla Bankman
Colony Chitragupta Nagar Ps Patrakar Nagar, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Jagmohan S/o Jainu Lal Srivastava, R/o Mohalla Laxmi Apartment 307
B Block Parwal Path, New Chitragupta Nagar, P.S. Patrakarnagar, District
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Bijpuriya
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem
Mr.Dilip Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-05-2024 Heard learned counsel for the petitioner, State and
complainant / opposite party no. 2.

2. The petitioner apprehends her arrest in a complaint
case punishable for offence under Sections 420, 468, 323 of the
Indian Penal Code.

3. As per prosecution case, on the inducement of this
petitioner, complainant executed an agreement for sale of three
katha of land at the rate Rs. 17,00,000/- per katha in favour of
three persons and paid Rs. 43,50,000/- and promised to pay rest
Rs.7,50,000/- within ten days. Thereafter, the complainant
executed the sale-deeds to three persons, but the petitioner did
not pay the rest Rs. 7,50,000/- and hence, this complaint was



instituted.

4. It is submitted on behalf of petitioner that as per agreement, petitioner has already paid Rs. 25,00,000/- to the complainant and thereafter, through cheque nos. 662, 663, 664, 665, the petitioner also paid Rs. 24,50,000/- to the complainant and rest Rs. 4,00,000/- was also paid in the account of complainant by one Sanjeet Kumar under instruction of this petitioner. It is further submitted that as a matter of fact, on 08.09.2020, the petitioner requested the informant to execute sale-deed, but the informant and his wife misbehaved with her and refused to register the sale-deed or refund the money and as such, the petitioner lodged a case, vide Gopalpur P.S. Case No. 240 of 2020 against complainant and his wife (Annexure 3). Moreover, the dispute is purely of a civil nature and colour of criminal offence has been given. Petitioner is lady and has got clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
J.M. 1st Class, Patna in connection with Complaint Case No.
1477(C) of 2021, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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