

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26564 of 2025

Arising Out of PS. Case No.-662 Year-2024 Thana- DANAPUR District- Patna

Sudha Kumari W/O Mantu Singh R/O Village- Mustafapur, P.S- Khagaul,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr. Mukesh Kumar, learned counsel for the

petitioner and Mr. Akbar Ali, learned Additional Public

Prosecutor for the State as well as learned counsel for the

informant.

2. The petitioner is apprehending her arrest in
connection with Danapur P.S. Case No. 662 of 2024, F.I.R.
dated 25.07.2024 for the offences punishable under Sections
406 and 420 of the Indian Penal Code.

3. According to prosecution case, the entered into
an agreement with the petitioner and her husband with respect to
Khata No. 302, Plot No. 274, Thana No. 36 and the informant
paid an amount of Rs. 1,01,00,000/- (Rs. One Crore and One
Lakh) to the petitioner and her husband's bank account and after
that he found out that the land which was agreed upon with him



has been registered to one Vikash Kumar by the aforementioned persons.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is wife of the co-accused person, namely, Mantu Singh and as per the allegation in the F.I.R, the husband of the petitioner has received the amount in question from the informant and did not execute the sale deed in question in favour of the petitioner.

5. Learned counsel for the petitioner on the instruction fairly submits that the petitioner is ready to return the entire amount to the informant and he also submits on instruction that at the time of furnishing bail bond, the petitioner shall handover the Demand Draft of Rs. 5,00,000/- only (Rs. Five Lakhs only) in favour of the informant and the rest amount of Rs. 96,00,000/- only (Rs. Ninety-Six Lakhs only) will be paid within a period of seven months starts from June 2025 and if the petitioner fails to pay the aforesaid amount, the informant is at liberty to move before the appropriate forum for cancellation of her bail bond and the learned Court below is directed to handover the Demand Draft to the informant or his representative at the time of furnishing bail bond.



5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate-I, Danapur in connection with Danapur P.S. Case No. 662 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall deposit Rs. 5,00,000/- (Rs. Five Lakhs) by way of demand draft in favour of the informant at the time of furnishing bail bond and the learned Court below is directed to handover the said demand draft to the informant or his representative. Rest amount of Rs. 96,00,000/- (Rs. Ninety six lakhs) will be paid by the petitioner to the informant within a period of seven months which starts from June, 2025 and if the petitioner fails to pay the aforesaid amount, the informant shall be at liberty to move before the appropriate forum for



cancellation of bail bond of the petitioner.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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