

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40333 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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1. Paspati Devi @ Most Paspati Devi Wife of Late Ghanshyam Prasad Resident of Village - Mohalla Ganj no.2, Laduram Gola , P.S.- Bettiah town, District- West Champaran.
 2. Munni Devi @ Most. Munni Devi Wife of Late Prem Singh @ Late Praem Prasad @ Prem Chandra Singh Resident of Village - Mohalla Ganj no.2, Laduram Gola , P.S.- Bettiah town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 13-02-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The Petitioners are apprehending their arrest in connection with Bettiah Town P.S Case No. 618 of 2023 dated 10.08.2023, for the offences punishable under Sections 406, 420 and 34 of the I.P.C.

3. As per the allegation in the FIR, petitioner and her family members have taken an amount of Rs. 31 lakhs to execute the sale deed but neither they executed the sale deed nor returned any amount to the informant. The informant further alleged that on 08.08.2023 all co-accused persons abused him



on asking about the money taken by the petitioners for the purpose of registry of land.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this present case. Prosecution story as alleged in the FIR is false, concocted and far away from the truth, no such occurrence as alleged in the FIR has ever been taken place. He further submits that the Mahadanama which is the part of the FIR has been falsely prepared by the informant. He submits that as alleged in the FIR total 31 lakhs rupees in cash had been given to the Most. Paspati Devi but the same is not true, not a single rupees has been received by the Paspati Devi in lieu of land. He also draw the attention towards the fact that total 5 lakhs rupees has been deposited by the informant in the account of petitioner no. 1 without the consent of the petitioner no. 1, moreover petitioner no. 1 is ready to return back the 5 lakhs rupees to the informant. So far as petitioner no. 2 is concerned, total 3 lakhs rupees has been deposited by the informant in her account and the same has been deposited without her consent. Lastly, he has prayed to enlarge the petitioners on anticipatory bail.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioners.

6. During course of argument learned counsel for the petitioners submits that 5 lakhs rupees taken by petitioner no. 1 will be deposited at the time of furnishing bail bond by the petitioner no. 1. So far as petitioner no. 2 is concerned, she is ready to pay 3 lakhs rupees. Learned counsel for the petitioner no. 2 submits that she will pay the aforesaid amount i.e. 3 lakhs rupees within six months.

7. Having regard to the submissions made on behalf of the parties and considering the assurance made by the counsel appearing on behalf of petitioners, this Court is inclined to enlarge the petitioner no. 1 on anticipatory bail. So far as petitioner no. 2, his anticipatory bail is **provisionally allowed** till 6 months i.e. final payment of aforesaid due date. If petitioner no. 2 fails to deposit the aforesaid amount, her bail bond will be liable to be cancelled and after payment of such amount the bail bond of petitioner no. 2 will be confirmed by the Trial Court.

8. Let the above named petitioners, in the event of his arrest/surrender within a period of four weeks from receipt/production of this order, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand)



with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah Town P.S. Case No. 618 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(S. B. Pd. Singh, J)

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