

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40270 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- Marnga District- Purnia

Madhu kumari Wife of Chandan Kumar Village- Sharda Nagar, Ward No. 14,
ps- Maranga, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-07-2025 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 Maranga Police Station Case No. 230 of 2024,
disclosing offences under Sections 318(4), 316(2), 338, 336(3),
340(2), 308(2), 352, 351(2), 3(5) of the BNS, 2023.

3. As per the prosecution case, the informant
alleged that he purchased land from Chandan Kumar and
petitioner after paying the full amount, and the land was
registered in his brother's name. Later, during the mutation
process, he discovered that a page in the sale deed had been
fraudulently altered to make the sale deed conditional. On
21.09.2024, when the informant asked the accused to vacate the
land and house, they allegedly abused and assaulted him.
Chandan Kumar reportedly threatened him with a gun and
demanded Rs. 10,00,000/- as extortion, threatening that if the
money would not be paid, he would be falsely implicated in



rape or molestation case. A Panchayat was held on 24.09.2024, but the accused refused to attend and sent a message showing disregard for the proceedings.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to personal enmity, property dispute, and malice. Petitioner has not committed any offence in the manner alleged. There is a delay of nine days in lodging the FIR without any valid explanation, suggesting the case is fabricated. The dispute arises from a loan agreement of Rs. 5,04,000/- between her husband and the informant's brother, with a condition that the land would be returned upon repayment. Despite being willing to repay the amount, the informant refused to return the land and filed a false case to put pressure upon the petitioner. The petitioner and her husband are residing on the disputed land, and the sale deed itself indicates conditional transfer. A legal notice, dated 24.06.2024, was sent before the FIR, seeking settlement, but it was ignored. He further submits that there are no specific or direct allegations against the petitioner. Petitioner has recently given birth to a baby boy on 05.01.2025, who is entirely dependent on her. The false case and constant harassment have affected her mental health and that of her



infant.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that petitioner and her husband executed a sale deed of a land having Plot No. 3287, Area 3 decimals in favour of the brother of the informant after receiving a sale consideration of Rs. 5,04,000/-. The mutation of the said land has been done in favour of the purchaser, Shailesh Kumar, and Jamabandi has also been opened in his name. The petitioner along with her husband has made interpolation in the sale deed by adding a page in the registered sale deed, making the sale as conditional, stipulating that if the vendors return the sale consideration within two years, the land would be returned by the purchaser.

6. I have heard learned counsel for the parties and have perused the materials available on record including the impugned order. It appears that petitioner along with her husband executed a registered sale deed on 14.08.2023 in favour of brother of the informant namely Shailesh Kumar, and the sale deed was registered in the Registration Office, Purnea in presence of the parties. The sale deed was having stipulation that if the vendors return the consideration amount of Rs. 5,04,000/- within two years, the purchaser shall reconvey the



land in favour of the sellers. The petitioner sent a legal notice dated 24.06.2024 to the purchaser showing her willingness to return the consideration amount to the informant's brother within two years. After the legal notice was served, the present FIR has been lodged, alleging interpolation.

7. Considering the aforesaid, nature of allegation and the fact that petitioner is a lady, I am inclined to grant the petitioner privilege of anticipatory bail.

8. This application is, accordingly, allowed.

9. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Chief Judicial Magistrate, Purnea, in connection with Maranga Police Station Case No. 230 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

