

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44025 of 2025

Arising Out of PS. Case No.-1020 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Usha Devi W/o- Niranjan Sharma R/o Village- Dak Banglow Road, Harnaut
Po- Harnaut Ps- Harnaut Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Virendra Prasad S/o- Mathura Rao Village- Harnaut Jaigovind Path Ps-
Harnaut Dist- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-07-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 406 and 418 of the Indian
Penal Code.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a woman and the
informant alleges that petitioner after entering into an agreement for
sale and having accepted Rs.3 lakhs is not registering the land nor
returning the amount.
4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is further submitted that the dispute is civil to which a
criminal colour has been given. It is next submitted that if agreement



for sale was genuine in that event the complainant ought to have moved before a Court of competent civil jurisdiction for getting the agreement of sale enforced but then the complainant instead of resorting to the remedy available in law has instituted the instant criminal case with a view to coerce the petitioner into submission. It is also submitted that had the complainant moved before a Court of competent civil jurisdiction the petitioner would have appeared and would have rebutted the claim of the complainant.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No. 1020(C) of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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