

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59789 of 2024

Arising Out of PS. Case No.-716 Year-2023 Thana- RUPASPUR District- Patna

Sunita Devi Wife of Ajay Kumar Singh R/O Mohalla - Durga Asharam Gali,
Rukunpura, Shekhpura, P.S.- Shastri Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akash Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant/s	:	Mrs. Sudha Ambastha, Adv.
		Ms. Amrita Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

10 09-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rupaspur P.S Case No. 716 of 2023 dated 03.09.2023 registered for the offence punishable u/ss 406, 420, 506, 467, 468 and 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the accused had shown a land to the informant Sweta Kumari stating that the said land belongs to the petitioner, purchased from Chunnu Kumar on 23-09-2020. It has been further alleged that the petitioner executed the power of attorney in favour of his son Navin Kumar on



09.02.2021 and a registered deed was executed on 12.08.2021 as per power of attorney for 1 katha 10 dhoors land of Rs. Fifty Lakh per katha in total Rs. Seventy Five Lakh and registration cost of Rs. Seven lakh fifty thousand and the informant Sweta Kumari paid Rs. Forty Lakh through D.D. to Navin Kumar and Rs. Seventeen lakh through NEFT/RTGS and Rs. Eighteen Lakh in cash and other electronic mode to the co-accused Santosh Kumar Bharti @ Santosh Singh and his wife Pinki Devi and also Rs. Fifteen Lakh to other persons as brokerage in cash. After execution of the sale deed, the informant got the boundary wall constructed around the said land but the same was demolished by some persons as they were claiming that the land belongs to them. When the informant enquired into the Registry Office, Patna and Danapur, she got knowledge that the said land appertaining to Khata No. 162, Khesra No. 1155, area 05 katha 09 dhoor and 07 dhurki was never sold by its owner Chunnu Kumar and on the basis of the sale deed bearing No. 8256 dated 23-09-2020 was executed for another land bearing Khata no. 161, Khesra no. 1252, executed by Chunnu Kumar in favour of Sunita Devi, just adjacent to Khesra No. 1155, forging the said deed, the petitioner with the help of other co-accused got the land of Khata no. 162, Khesra no. 1155 mutated in her name and



actually the land sold by the said co-accused Navin Kumar to the informant was never purchased by the petitioner and in this way all the accused including the petitioner cheated the informant by committing forgery in the original sale deed causing huge monetary loss to the informant as she had taken loan from the Banks and from her relatives to purchase the land.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no role in executing the sale deed. It is further submitted that the petitioner is a lady and she has not made any forgery with the informant. The co-accused, Chunnu Kumar has executed the aforesaid sale deed bearing Khata No. 162, Plot No. 1155 vide sale deed no. 8256 dated 23.09.2020 and the petitioner has executed sale deed in favour of the informant. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is the real culprit in this case, the petitioner along with other accused persons by falsifying government documents and tampering them, prepared a fake,



false and fabricated land sale deed documents. It is further submitted that during the course of inquiry it has been found that the co-accused Chunnu Kumar has sold his land in the name of the petitioner bearing Khata No.161, Plot No. 1252 vide sale deed No. 8256 and after making manipulation in the sale deed the land bearing khata no. 162, plot no.1155, area 1.5 kattha has been sold in the name of the informant. It is further submitted that there are two sale-deeds but the sale-deed number is 8256 which is same in both the sale-deeds. The same sale-deeds were executed by Chunnu Kumar to Sunita Devi who made her signature on both the sale-deeds having same deed number and khata and plot number are also different. The above fact shows that the petitioner and the co-accused had fraudulent or dishonest intention at the time of making promise to sell.

6. Considering the aforesaid facts and circumstances of the case as well as the seriousness of allegation against the petitioner. It is not fit case for anticipatory bail of the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected and the petitioner is directed to surrender before the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned Court below may consider the prayer for regular bail of the petitioner in



accordance with law and on its own merits without being prejudiced by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

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