

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67621 of 2024

Arising Out of PS. Case No.-129 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Sonali Kumari @ Priya Kumari W/O Brajesh Kumar R/O Village- Dinapur-
cum- Khagaul, P.S- Sahpur, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar Singh S/O Paspal Singh R/O Village- Brahmsthani Road
Shekhpura Raja Bazar, P.O- B.V. Colony, P.S- Shastrinagar, Distt.- Patna at
present Gola Road, Lakhna Chowk, Bank Colony, Road No. 1, P.O-
Danapur Kant, P.S- Danapur, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Adv
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 08-05-2025 Heard learned counsel for the petitioner, learned
counsel for the Opposite party no. 2 and the State.

2. Petitioner is apprehending her arrest in a case
registered for the offences punishable under sections 406/34 of
the Indian Penal Code.

3. Despite the order of issuance of notice the
complainant/OP.No.2 has not appeared in the present
proceeding.

4. The prosecution is based upon a complaint filed
by opposite party no. 2 that the petitioner and her husband had
entered into an agreement to sale on 05.03.2019 and in view of



the same, the petitioner had taken 14 lakhs in total from the complainant and had sold the land to a third person.

5. Learned counsel for the petitioner submits that the allegation made in the complaint is not correct and as a matter of fact, out of the total consideration amount of Rs. 20 lakhs, the complainant had paid only 1.60 lakhs and that too, after two months of the date of agreement to sale. It is further submitted by indicating from the statement of the complainant that the petitioner had entered into an agreement for sale with a different person after duly informing the complainant, as the complainant was delaying the process of payment of amount and thereby delaying the registry. Further, it has been stated that the allegation of Rs. 14 lakhs is not correct and there is absolutely no transactions to show that the said payment was made to the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in investigation/ trial.

6. The learned APP for the State opposes the prayer for anticipatory bail.

7. Taking into consideration the facts and circumstances of the case and also considering that the matter is predominantly civil in nature and there is mere allegation of not honouring an agreement, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in



the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (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. 129(c) of 2020, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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