

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74456 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- KARJA District- Muzaffarpur

Rita Devi W/O Dharmvir Yadav R/O Village- Jeyan, P.S- Karja, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Sr. Advocate
For O.P No.2 : Mr. Mazharul Hasan, Advocate
For the State : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 29-01-2025 1. Heard Mr. Subhash Kumar, learned senior counsel for the petitioner, and Mr. Mazharul Hasan, learned counsel for the O.P No.2 and Ms. Nirmala Kumari, learned APP for the State.
2. Petitioner apprehends her arrest in connection with Karja P.S. Case No. 164 of 2024 dated 12.07.2024 registered for the offence punishable under Section 140(3) of the Bhartiya Nyay Sanhita.
3. As per the prosecution story, the informant was informed by his daughter that on 02.07.2024 at about 8:00 P.M, the informant's wife, Urmila Devi had gone to the petitioner's house but did not return back. The informant tried contacting his wife on her mobile phone but that too was switched off. The



informant, after coming back from Delhi, searched for her but could not trace her.

4. The main submissions advanced by learned counsel appearing for the petitioner are that as per the FIR. The informant's wife, victim, aged about 45 years went missing on 02.07.2024 but the FIR was lodged on 12.07.2024 without explaining the long delay, in fact the informant's wife had taken loan from different financial institutions/bank and she was unable to return the loan amount due to which she had hidden herself in order to escape from her liabilities to pay the loan amount. During the investigation, the statements of the independent witnesses were examined, who did not support the prosecution's allegation.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail. Learned counsel for the informant submits that the victim had paid Rs. 1,65,000 to the petitioner for the purpose of purchasing land and when the concerned land was not transferred by selling the same, the victim approached the petitioner and went to her house to demand her advanced paid amount and since then, she went missing.

6. Considering the seriousness of the allegation which



relates to missing of a lady and as per the prosecution case, there was some dispute in between the petitioner and the victim with regard to transfer of particular land and on the alleged date and time of the occurrence, the victim went to the house of the informant and since then, she became traceless and the case is under investigation and recovery of the victim is yet to be made, this court is not inclined to grant the relief of anticipatory bail to the petitioner. Accordingly her prayer stands rejected.

(Shailendra Singh, J)

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