

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78100 of 2024

Arising Out of PS. Case No.-1093 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

=====

Sangita kumari W/O Samarjit kumar R/O village - Pahlaja , P. S - Sonapur,
District - Saran

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Most. Satya Devi W/O Late Sabha Ray R/O village - Khajuhata Jhauwa , P.
S -Parsa , District - Saran.

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Hemant Kumar , Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 420, 467,
468 , 120 (B) of the Indian Penal Code .

3 . The case of the complaint, in brief, is that this
petitioner namely *Sangeeta Kumari* who is not a member of the
family of O. P. No. 2, executed a sale deed in favour of accused
persons impersonating herself as the daughter of *Lal Babu Rai*,
and the land sold by this petitioner is ancestral property of O. P.



No. 2, due to which O.P. No. 2 was put to loss.

4. It is submitted on behalf of the petitioners that this petitioner is quite innocent and has committed no offence . It is further submitted that when the petitioner was child her father died and her mother took her to her maternal grandfather's house where she was brought up . As a matter of fact, petitioner's father had three brother namely, (i) Late Girja Rai (Bhaibur of complainant), (ii) Late Sama Rai (Husband of the complainant), (iii) Late Lal Babu Rai (Devar of the complainant) and Girja Rai had five daughters, Sama Rai had six daughters and Lalbabu Rai (father of the petitioner) had one daughter, Sangeeta Kumari. It is next submitted that regarding land dispute between the parties, the title suit No. 256 of 2023 is already pending in the Court of learned Sub-Judge IX between the complainant and the petitioner. Petitioner and complainant are co-sharers of the land in question and this petitioner has sold her share of the land to other co-accused persons. Moreover, the dispute involved in this case is purely civil in nature with regard to sale and purchase of land and is given a cloak of criminal offence only with a view to settle civil dispute . Petitioner is lady and claims clean antecedent.

5 . Learned counsel for the State oppose the bail



petition .

6 Considering the fact that dispute involved in this case is purely civil in nature with regard to sale and purchase of land and is given a cloak of criminal offence only with a view to settle civil dispute and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIII Saran at Chapra in connection with Complaint Case No. 1093 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

Koushik/-

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

