

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88424 of 2024

Arising Out of PS. Case No.-720 Year-2021 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Usha Devi wife of Pramod Mehta Village- Bahera Bigha PS -Kutumba
District -Aurangabad Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Mohan Kumar son of Ramprasad Mehta village- Bisun Bigha, ps-
Jamhore, Dist- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Adv. Mr. Rupa Kumari, Adv.
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP
For O.P. No. 2	:	Mr. Bachan Jee Ojha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 08-05-2025 Heard learned Counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends her arrest in connection
with Complaint Case No. 720 of 2021 for the offence registered
under sections 323, 341, 506, 420, 120B of IPC.

3. As per the prosecution story, the informant alleged that
for a piece of land, Rs. 3,00,000/- was transferred to the petitioner
but no such land was executed. Upon demand, the abuse/threat of
dire consequences which followed the case.

4. Learned Counsel for the petitioner submits that though
through Google Pay, only Rs. 1,00,000 was paid, to show her
bonafide, she is ready to return the amount alleged in the case (Rs.
3,00,000/-). Learned counsel submits that the she is ready to pay the
same in two installments of Rs. 1.5 lakhs each (totaling Rs.



3,00,000/-). Further, if granted relief, she shall be handing over the first installment of Rs. 1.5 lakh by way of Demand Draft in the name of the complainant at the time of the execution of the bail bond.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the complainant was cheated of Rs. 3,00,000/- by the petitioner.

6. Considering the submissions of the parties as also the fact that the petitioner has shown her bonafide, is a lady, has no criminal antecedent, in that background, this Court is inclined to grant her the anticipatory bail with conditions subject to payment of Rs. 3,00,000/- as stated above. **The first installment of Rs. 1,50,000/- is to be paid at the time of execution of bail bond favouring Rajmohan Kumar and the second installment of Rs. 1,50,000/- shall be handed over to the complainant by 10th of July, 2025.**

7. Failure to do so, the prosecution is free to take immediate steps for the cancellation of her bail bond.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad, Bihar in



connection with Complaint Case No. 720 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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