

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54167 of 2025

Arising Out of PS. Case No.-454 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Sumitra Devi @ Sumitra Kumari W/o Bavir kumar Resident of village-
Husinabad, P.S.- Aryari, District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Susila Devi W/o Jitendra Prasad R/o vill - Bhawalpur, P.S. - Kurtha, Distt.-
Arwal, At present C/o Mr. Badri Naryan Singh, P.S.- Gardanibagh, Mohalla
-Yarpur, Yogitola, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. N. K. Agrawal, Sr. Advocate
		Mr. Saroj Kumar Choudhary, Advocate
For the State	:	Mr. Rajesh Kumar, APP
For the Complainant	:	Mr. Manoj Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-01-2026 Heard learned senior counsel appearing on behalf of

the petitioner, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the

complainant/Opposite Party No. 2.

2. The petitioner apprehends her arrest in a complaint
case registered for the offence punishable under Sections 406
and 420 of the Indian Penal Code.

3. As per the complaint case, co-accused Khushbu
Pandey and co-accused Monu Kumar received a sum of Rs.
60,00,000/- from the complainant, as consideration money, for
sale of a piece of land, but they refused to execute the sale-deed



in favour of the complainant and also failed to return the aforesaid money. It is further alleged that out of aforesaid amount of Rs. 60,00,000/-, Rs. 1,05,500/- has been paid in the account of this petitioner.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the complaint petition it is apparent that the dispute arises out of sale and purchase of land, which is purely civil in nature. Even as per complaint case, only Rs. 1,05,500/- was transferred in the account of this petitioner and out of the alleged amount, petitioner has already transferred Rs. 1,00,000/- in the account of the complainant, which fact has also been admitted by the witnesses of the complainant. It is further submitted that petitioner is ready to return rest of the alleged amount transferred into her account i.e. Rs. 5,500/- through demand draft in the name of the complainant. Petitioner is a lady and claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the



case, general and omnibus nature of accusation, nature of dispute, clean antecedents of the petitioner and aforesaid undertaking of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Class, Patna City in connection with Complaint Case No. 454 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S., along with the following terms and conditions:

“A. At the time of furnishing bail-bond, petitioner shall pay Rs. 5,500/- (Rupees five thousand five hundred) to the complainant through demand draft.”

(Prabhat Kumar Singh, J)

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