

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71218 of 2025

Arising Out of PS. Case No.-455 Year-2024 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Sunita Devi W/o Mahendra Prasad Singh @ Mahendra Mandal R/o -
Tahwalpur, P.S - Lodipur, District – Bhagalpur Petitioner/s
Versus

1. The State of Bihar
2. Satyanaran Mandal S/o Late Atraj Mandal R/o Mohalla - Basantpur, P.S -
Lodipur, District - Bhagalpur
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Harsh Singh, Adv.
For the State	:	Mr.Shailendra Kumar, APP
For the Informant	:	Mr. Dhananjay Kr. Gupa, Adv. Mr. Bishwa Nath Mahto, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 11-02-2026 Heard learned Advocate for the petitioner and learned

Additional Public Prosecutor for the State as well as the learned

Advocate for the informant.

2. The petitioner apprehends her arrest in connection
with Complaint Case No. 455 of 2024, wherein cognizance has
been taken for the offence punishable under Section 420 of the
Indian Penal Code.

3. Based upon the complaint case, it is alleged that the
complainant had purchased a piece of land on 19.02.2022
bearing khata No. 109, khesara No. 205 and measuring an area
of 0.414 decimal of land. However, when the complainant went
for mutation of the aforesaid land, the same came to be rejected
and later on he came to know that the land in question had



already been sold by the petitioner to a third party and when the complainant demanded refund of consideration amount of Rs. 2,86,000/- , she allegedly refused.

4. Learned Advocate for the petitioner submitted that so far the land appertaining to khata No. 109, khesara No. 205 is concerned, the same is a big chunk of land from which various plots have been sold through various registered sale deeds in favour of other purchasers. In fact, after execution of the sale deed in favour of the complainant, when he went for mutation of the land, it has been rejected only on account of the fact that there was a dispute between two parties on account of a way. At no point of time, it has come that the identical piece of land has been sold in favour of a third party and if the complainant is not satisfied, he has remedy to approach before the competent Civil Court; however instead of approaching the Civil Court, the present complaint case came to be instituted. Reliance has also been placed on a decision of the Hon'ble Supreme Court in the case of ***Md. Ibrahim & Ors vs State Of Bihar & Anr [(2009) 8 SCC 751]***.

5. On the other hand, learned Advocates for the State and the informant vehemently opposed the bail application and submitted that, *prima facie*, it appears that the petitioner has sold the



land on consideration amount of Rs. 2,86,000/- to the petitioner which had already been sold and given to a third party on 19.08.2021 itself.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the nature of the dispute which predominantly appears to be civil, besides the mandate of the Apex Court in the case of *Md. Ibrahim* (supra), let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount, each to the satisfaction of the learned Judicial Magistrate, First Class, Bhagalpur in connection with Complaint Case No. 455 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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