

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74331 of 2025

Arising Out of PS. Case No.-523 Year-2024 Thana- CIVIL LINE District- Gaya

Surajmanti Devi W/O Kamlesh Kumar R/O Vill. - Aurma, P.S- Magadh
Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi, Advocate
	:	Mr. Dheeraj Kumar, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Jay Ram Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-01-2026 Heard Mr. Rabindra Kumar Priyadarshi,

learned counsel for the petitioner and Mr. Jay Ram Prasad,

learned counsel representing the informant beside Mr. Bharat

Bhushan, learned APP representing the State.

2. The petitioner is apprehending her arrest in
connection with Civil Lines P.S. Case No. 523 of 2024
registered for the offence under Sections 319(2), 318(4), 338,
336(3) and 3(5) of the B.N.S., lodged on 01.10.2024 by the
informant, Sunita Devi.

3. As per the prosecution story, the lady has alleged
that this petitioner sold the land which belong to them and on
which they have complete peaceful physical possession. The



accused list in the F.I.R. beside the purchaser, also include the petitioner's son Gaurav Kumar S/o Kamlesh Prasad.

4. Learned counsel for the petitioner submits that a perusal of the petition would show that she has recorded her name as Surajmanti Devi wife of Kamlesh Kumar @ Kamlesh Prasad. She is the legally wedded of the informant's husband. The land belong to them, the son Gaurav Kumar has already filed Title Suit. As her husband was not supporting her financially, she sold the land. This is purely a civil dispute which can very well be adjudicated in the court of law. Only to put pressure, the present case.

5. Learned counsel for the informant opposes the prayer submitting that the lady is not the legally wedded wife of Kamlesh Kumar @ Kamlesh Prasad and has sold the land which in no way belongs to her.

6. This Court has gone through the facts of the case and the submissions put forward by the parties and the list of accused which clearly show that one of the accused is Gaurav Kumar, son of the present petitioner, Surajmanti Devi. The informant herself has incorporated the father's name as Kamlesh Prasad who the present petitioner claims to be her husband. Out of the 21 decimal land, two third has been sold.



A Title Suit is pending, it will decide the fate of the land, in that background, this Court is inclined to extend her the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Civil Lines P.S. Case No. 523 of 2024 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/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 his/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 bail bonds.

(Rajiv Roy, J)

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