

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52673 of 2015

Arising Out of PS.Case No. -190 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

Vibha Devi, wife of Nagender Pandit, resident of village at Khanejadpur,
P.S. Minapur, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Harendra Prasad (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-12-2015

Heard learned Counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Minapur P.S Case No. 190 of 2015, for offences alleged under Section 406, 420, 467, 468, 471, and 120(B) of the Indian Penal Code.

The prosecution case is that on the basis of complaint petition no. 991 of 2015 filed by one Md. Kalam in the court of Chief Judicial Magistrate, Muzaffarpur, in which he stated therein that all the FIR named accused persons including petitioner were known to informant and on 05.01.2015 all the accused persons came in the house of the informant and they introduced themselves as a representative of Sun Mark Insurance Company. They further stated that said company insured policy under Indian



Life Insurance Company. They also stated that they were the corporate agent of Indian Life Insurance Company and their office was situated is Zero Mile Chowk, P.S. Ahyapur, District, Muzaffarpur, who also showed the documents of the said company. They further stated that their company issues insurance policy to all classes of society, in which they have the facility to deposit premium on daily, monthly, half yearly and yearly basis. They also stated that he could change his future by purchasing the policy and he could get loan from his deposited money as per need. They also stated that he could get good return from this insurance policy. One of the accused Jailender Shah stated that entire money of the premium would be deposited in policy account and that it was their responsibility.

Informant further stated that on their persuasion he purchased the Insurance Policy from the said Insurance Company. Informant and other investors deposited lakhs of money in cash in the said Insurance Company and they took the receipt from them.

Informant further stated that accused persons took amount of Rs. 2,25,000/- (Rs. Two Lakh and Twenty Five Thousand) from the informant and they did not deposit the said amount in the said Insurance Company. When he demanded the

money, they did not return, he stated that they dishonestly grabbed the aforesaid money.

Informant further stated that he went to the house of the accused persons, but they did not return the money.

It has been submitted by the learned Counsel for the petitioner that the petitioner is a lady and no specific allegation has been leveled against her and they are only general and omnibus. It has further been submitted that the petitioner is an illiterate lady and is not concerned with the monetary transactions of the other co-accused. Furthermore, it has been submitted that the informant has filed two more cases bearing Ahiyapur P.S. Case No. 92 of 2015 and Ahiyapur P.S. Case No. 444 of 2015 for same offence against this petitioner and other co-accused and in the latter the informant Md. Kalam is the witness and the petitioner has already been given the privilege of anticipatory bail on same and similar offences in Cr. Misc. No. 48436 of 2015 by a Coordinate Bench of this Court dated 16.10.2015.

Be that as it may, let the above named petitioner, in the event of her arrest or surrender before the court below within a period of six weeks from today be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of like amount each to the satisfaction of the learned

Chief Judicial Magistrate, Muazaffarpur in connection with
Minapur P.S. Case No. 190 of 2015, subject to the conditions as
laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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