

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43143 of 2015

Arising Out of PS.Case No. -40 Year- 2013 Thana -AIRPORT District- PATNA

=====

Raj Kishori Devi wife of Late Shri Niwas Mishra, Resident of Mohalla-
Mahatma Gandhi Nagar, Kanti Factory Road, P.S.- Agamkuan, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar 1(App)

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

4 24-11-2015 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel for

the informant.

The petitioner prays for anticipatory bail in

connection with Hawaii Adda (Airport) P.S, Case No. 40 of 2013

for offence under Sections 420,467,468,471 and 120(B)/34 of the

Indian Penal Code.

The allegation against the petitioner is that she

impersonated as Prabha Devi, mother of Shailendra Kumar

Pandey, and in conspiracy with other accused persons Rs. 3 lacs

was taken from the informant after the parties had earlier given a

power of attorney in favour of the informant. It is further alleged

that when the informant requested for the money to be returned

cheques were issued for the said amount by the accused persons which were not honoured by the Bank including on the ground of insufficient fund.

Learned counsel for the informant submits that for the said piece of land similar modus operandi has been adopted by the accused persons including the petitioner and money has been taken for which a case has been registered by the Patliputra Police Station against the same set of accused persons including the petitioner under Sections 420,467,468,471 and 120(B) of the Indian Penal Code and Section 138 of the N.I. Act and this Court by order dated 9.10.2015 passed in Cr. Misc. No. 23851/2015 filed by this petitioner along with Cr. Misc. No. 25745 of 2015 filed by her daughter Madhu Pandey @ Madhu had rejected the prayers for anticipatory bail of both the petitioners.

Learned counsel for the petitioner submits that the said case was not on the same footing and there the payments had been made through Bank whereas that is not the position in the present matter.

On a consideration of the facts and circumstances of the case and considering the order dated 9.10.2015 aforesaid passed by this Court, I am not inclined to grant anticipatory bail to the petitioner. The application is, accordingly, rejected.

However, the petitioner is directed to surrender before the court below and pray for regular bail which shall be considered on its own merit.

(Ramesh Kumar Datta, J)

S.Pandey/-

U		T	
---	--	---	--