WEB COPY NOT OFFICIAL

# IN THE HIGH COURT OF JUDICATURE AT PATNA

**Criminal Miscellaneous No.40352 of 2014**

==========

Sangeeta Bhattacharjee, wife of Saurav Bhattacharjee, resident of 132, Sanjay Road, Sakchi, Post & P.S.-Sakchi, District-Jamshedpur, Jharkhand

.... .... Petitioner

Versus

1. The State of Bihar
2. Ramadhar Singh, son of Late Raghuraj Singh, resident of Mohalla-Ramsharan Das Lane, Purani Godown, P.S.-Kotwali, District-Gaya

.... .... Opposite Parties

==========

**Appearance :**
For the Petitioner : Mr. Ravi Bhardwaj
For the Opposite Parties : Mr. Manoj Kumar (App)

==========

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL ORDER

4 07-01-2015 The present application has been filed for modification of the order dated 06.03.2013 passed in Cr. Misc. No. 33763 of 2012 whereby the petitioner was granted provisional bail in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420 of the I.P.C and 138 of the Negotiable Instruments Act.

The petitioner was allocated petroleum dealership in which the complainant invested Rs. 22,10,135/- in pursuance to a power of attorney executed in favour of the complainant by the petitioner. Subsequently the petitioner executed a fresh power of attorney in favour of one Funny Mahto with regard to the same petroleum dealership. On demand being made of the money invested by the complainant, the petitioner issued five cheques to the complainant which got bounced. The petitioner was granted provisional bail on

readiness to deposit Rs. 6,00,000/- before learned Court below which was directed to be invested in some fixed deposit scheme in connection with the present case which was subject to the result of the case.

It is submitted by learned counsel for the petitioner that the money could not be deposited due to some communication gap and due to the petitioner being handicapped and her husband resides abroad. The petitioner is ready to deposit the money along with 5 % interest within a period of four months. The offer is acceptable to the counsel appearing on behalf of the complainant.

On deposit of Rs. 3,00,000/- within a period of four weeks, the period of provisional bail of the petitioner granted vide order dated 06.03.2013 in Cr. Misc. No. 33763 of 2012 will be extended for a further period of four months. The provisional bail of the petitioner will be confirmed by learned Court below on deposit of rest amount within a further period of three months.

The order dated 06.03.2013 passed in Cr. Misc. No. 33763 of 2012 is modified to the extent indicated above.

Accordingly the application is disposed off.

**(Dinesh Kumar Singh, J)**

Shageer/-

| | | | |
|---|---|---|---|
| U | | T | |