

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6888 of 2016

Arising Out of PS.Case No. -543 Year- 2015 Thana -PHULWARI District- PATNA

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1. Noori Khatoon Wife of Md. Sabbir @ Md. Raju R/o village - Ishapur,
Purani Masjid, P.S. Phulwarisharif, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

6 30-08-2016

Heard both sides.

The petitioner apprehends arrest in a case registered for the offences punishable under sections 420, 406, 467, 468, 471, 120(B) of the Indian Penal Code and section 11 of the Cheat Fund Act.

The informant filed a complaint case vide Complaint Case No. 1877 (c) of 2015 on the basis of which the present first information report is registered. The informant named four persons including the petitioner as wife of Md. Raju and alleged that all the accused persons persuaded him to deposit money with Green Ray International Limited duly recognized by the Reserve Bank of India. The informant deposited rupees two lacs on 14.04.2014 and Rs.60,000/- on 16.04.2014 but no interest was paid to the informant on the deposits. It is alleged that the petitioner and others misappropriated the entire amount.

Learned counsel for the petitioner submits that the petitioner is wife of Md. Raju and she has been made accused in this case but no overt act is alleged against her. Petitioner is a pardanashin lady and she never approached the informant and persuaded him to deposit money.

On the other hand, learned counsel for the informant vehemently opposed the prayer for grant of anticipatory bail but he could not be able to show any specific allegation against the petitioner.

Considering the fact that the petitioner is a lady and no specific allegation of persuading the complainant to deposit the amount in the cheat fund, the petitioner above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/communication of a copy of this order, shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Sema Eram, Judicial Magistrate 1st Class, Patna in connection with Phulwarisharif P.S. Case No. 543 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

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