

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35484 of 2016

Arising Out of PS.Case No. -432 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Karmshila Devi Wife of Sri Baban Kumar, Resident of Village- Amirpur,
P.S- Nawanagar, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ravi Prakash, son of Chandra Mohan, Resident of Station Road, Dehri-
on- Sone, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh
For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 29-09-2016 Heard both sides.

The petitioner apprehends her arrest in Dehri (T) P.S.
Case No. 432/2015, registered for the offences punishable under
Sections 406 and 420 of the Indian Penal Code.

The informant alleged that the petitioner and her
husband took loan of Rs. 2,00,000/- but did not return, even any
installment. The petitioner gave a cheque of Rs. 2,00,000/-
towards payment of loan but the same was dishonoured.

Learned counsel for the petitioner submits that there
is same and similar allegation that the petitioner and her husband
took loan. The husband of the petitioner has already been granted

anticipatory bail. In fact, the petitioner had applied for loan of Rs. 10,00,000/- and mortgaged her two Katha land but there was cutting in the mortgaged deed. An interpolation was made by the informant and in place of Rs. 10,00,000/-, Rs. 2,00,000/- was written. The land of the petitioner has already been mortgaged.

On the other hand learned counsel for the informant as well as learned Additional P.P. opposed the prayed for anticipatory bail.

Considering the facts aforesaid and the fact that the land has already been mortgaged and if the petitioner fails to deposit any installment, the informant has got liberty to file the suit, the petitioner above named in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Dehri, Rohtas in connection with Dehri (T) P.S. Case No. 432/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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