

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15886 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Prachi Sinha Wife of Sumit Sinha Resident of Village-Ashok Nagar Road
No.8-A, South Changar, Kankarbagh, Patna, P.S.-Kankarbagh, P.O.-
Lohianagar, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Suraj Narain Sinha, Sr. Adv.
Mr. Deepak Kumar, Adv.

For the Informan : Mr. Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr. Anil Kr. Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 24-08-2016 Heard learned counsel for the petitioners

and learned counsel appearing on behalf of the

State.

The petitioner apprehends his arrest in
connection with Hajipur Sadar P.S. Case No. 41 of
2016 for the offences registered under Sections 406,
420, 457, 471, 120(B) of the Indian Penal Code.

Earlier the matter has been sent for
mediation which has apparently failed as per the
mediation report submitted on 22.08.2016.

Learned Sr. Counsel appearing on behalf of
the petitioner submits that, so far as this petitioner



is concerned, no prima facie case is made out against her as, admittedly, all allegations are against the main accused namely, Sumit Sinha, who is already in custody. The present petitioner is the wife of said Sumit Sinha and the allegation as per the first information report is that the petitioner had also participated in the fraud which was committed by her husband. It is further submitted that the petitioner is having a small child and there was no money transaction between the petitioner and the company. The husband of the petitioner was only a petty employee in the said Vastu Vihar who has been maliciously roped in by the high ups of the company when they themselves came under the surveillance of such depositors. It is further submitted that the husband of the petitioner had also filed a case, which is prior to the filing of the present case bearing Gandhi Maidan P.S. Case No. 33 of 2016 on 31.01.2016 and the entire allegations are nothing but a ploy to cover up their own misdeeds.

Learned counsel for the informant submits that the petitioner was also responsible for the alleged transaction and that money was also transferred into her account.

After hearing learned counsel for the petitioner and the informant at length, it appears that the entire family has been roped only for the purpose of recovery of money which has been clandestinely taken from prospective buyers of flats of the company of Vastu Vihar in which the informant is the In-charge Director (Administration).

Having considered all aspects of the matter and that the petitioner is a lady and also that she has clean antecedents and also because the main accused has already been taken into custody, let 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned

Judicial Magistrate, 1st class, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 41 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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