

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31105 of 2017

Arising Out of PS.Case No. -380 Year- 2015 Thana -BARHARA District- BHOJPUR

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Rani Devi, wife of Rajesh Kumar Singh, Resident of Village - Phuha, P.S. -
Barahara, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Smt Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Barahara P.S.

Case No. Case No. 380 of 2015 instituted for the offence under
Sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

The informant who was the then Branch Manager of
State Bank of India, Phuha Branch, has alleged in the written
report that petitioner was sanctioned car loan of Rs.5,50,000/- and
a Draft was issued in favour of Rohit Automobiles, Arrah. The
said Draft was handed over to the petitioner. The Bank learnt on
investigation that petitioner has opened a fictitious account in
I.C.I.C.I. Bank and encashed the Draft. It is alleged that petitioner
did not purchase the vehicle for which the loan has been
sanctioned and, hence, he misappropriated the money.

Learned counsel for the petitioner has submitted that



he has paid the entire loan amount and 'No Dues Certificate' has also been issued by the Bank which has been enclosed as Annexure-3

In such circumstances, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Barahara P.S. Case No. Case No. 380 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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