

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36638 of 2017

Arising Out of PS.Case No. -275 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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SUSHMA DEVI @ SUSHMA DENIS W/o Arun Kumar @ Arun Gupta,
R/o Christan Quarter, Near Sant Johan School, P.S.- Bettiah, Town,
District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. R.P.S. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-08-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending her arrest in connection with Bettiah Town (Kalibagh O.P.) P.S.Case No. 275 of 2017 registered for the offence under Sections 420 of the Indian Penal Code and 138 of Negotiable Instrument Act.

Allegation against the petitioner is that she has issued cheque for Rs.11 lakhs but the same is bounced on presentation.

Submission of learned counsel for the petitioner is that she has never issued cheque to the informant rather cheque was misused by the informant as informant is bad character and she has filed a case against him also. Further submission is that in stead of filing a complaint FIR has been lodged and moreover petitioner is a Government school teacher. Further submission is that no case under Section 420 IPC is made out against her.



Heard learned APP also.

Having heard both sides and in view of the facts and circumstances, let petitioner, above named, surrender within a period of eight weeks before the court below along with a Bank Draft for Rs.5 lakhs in the name of informant, which shall be deposited in court which shall not be encashed till the disposal of the case, and if the court is satisfied with the same, she shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah Town (Kalibagh O.P.) P.S.Case No. 275 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Learned court below is further directed to expedite the trial and try to conclude it within a period of three months.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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