

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46374 of 2016

Arising Out of PS. Case No. -273 Year- 2015 Thana -ATHMALGOLA District- PATNA

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PUNAM DEVI @ PUNAM DEVI W/O SURENDRA KUMAR GAUTAM,
R/O VILL- KALYANPUR, P.S. ATHMALGOLA, DISTT.- PATNA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s	:	Mr. Amresh Kumar Sinha, Adv.
For the State	:	Mr. Smt. Renuka Ratnakar, APP
For O.P. No.2	:	Mr. Binod Kumar Singh, Adv.
		Mr. Satyendra Pd. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 09-02-2017 Heard learned counsel for the petitioner along with learned counsel for the informant, learned Additional Public Prosecutor.

Under deceitful means petitioner who happens to be known to the family of informant since long, in order to get her sons employed at High Court squeezed Rs.12,000,00/- who handed it over to his brother Munna Kumar and aforesaid event has been endorsed by way of receipt over non-judicial stamp which contained signature of petitioner also. When both the sons of informant could not be appointed at High Court then thereafter, made repeated demand but, to dupe the prosecution party, brought both sons of informant and got them entrusted to a learned counsel as a Munsif.

Considering the inter se relationship, so many opportunities were given to the parties to sort out their differences



but failed.

It has been submitted on behalf of petitioner that Munna Kumar happens to be her relative who had procured the money and not the petitioner so, the allegation in the written report that money was handed over to the petitioner is found palpably false. Apart from this, petitioner happens to be under custody since 01.09.2014.

The learned Additional Public Prosecutor assisted by learned counsel for the informant submitted that when the informant came to know that her sons were entrusted to a learned counsel as a Munsif, then she made persistent demand whereupon petitioner, escaped. Then thereafter she became ANM at Paliganj. Furthermore, from Annexure-2, the transaction of Rs.12,000,00/- is found there whereupon petitioner's presence is seen. From Annexure-3, it is evident that Surendra Kumar Gautam husband of petitioner had represented before the Senior Superintendent of Police, Patna whereunder he had put an allegation against Munna Kumar not only relating to the present episode rather relating to the others

Be that as it may, considering the nature of the allegation, I do not see it a fit case for grant of bail. Accordingly, prayer for bail is rejected.

Petitioner being under custody since 01.09.2016, therefore, the learned lower court is directed to expedite the trial



and conclude the same within six months. Simultaneously, learned counsel for the informant is requested to instruct his client to be present on each and every date before the court for evidence. In case, there would be slackness on the part of the prosecution causing delay in disposal of the case crossing the barrier of six months then in that event, petitioner will be at liberty to renew her prayer.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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