

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.231 of 2018

Arising Out of PS.Case No. -671 Year- 2017 Thana -PHULWARI District- PATNA

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Kushum Devi @ Kusum Devi,. W/o Munna Rajak, Resident of Village-
Chunauti Kuan, Duniyapatti, P.S.- Phulwarisharif, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.

2. Arti Devi, W/o Arbind Kumar Singh, Resident of Village- Bajrangbali
Colony, P.S.- Phulwarisharif, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 12-01-2018

Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular
bail in connection with Phulwari Sharif P.S. Case No. 671 of
2017 registered for the offence punishable under Sections 406,
420, 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
there is no proof in any form showing that the petitioner and
her husband had taken a sum of Rs. 3,00,000/- from the
informant.

On the other hand, learned counsel representing
the informant submits that the petitioner and her husband have
taken money not only from this informant but also from others
and right from beginning their intention was not to refund the



money and thereby they have cheated the informant.

Learned counsel for the informant has also produced a cheque No. 195255 dated 20.09.2017 of Allahabad Bank pertaining to account No. 20956903722 which has been signed by one Pramila Devi. It seems that cheque has not been properly drawn but the learned counsel for the informant submits that cheque was provided by way of security in lieu of the money advanced to this petitioner.

In the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each, and in terms what transpired in course of argument on depositing 50% amount i.e. Rs. 1,50,000/- in the court below subject to the result of the case, to the satisfaction of the learned Sub-Judge-XV-cum-A.C.J.M., Patna in connection with Phulwarisharif P.S. Case No. 671/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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