

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74693 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- MAHESI District- East Champaran

Prabha Devi, Wife of Bhulan Ram, Resident of Village- Bakhari Nazir, Police Station- Mehshi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sri Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Mehshi P.S. Case No.91 of 2018, disclosing offences under Sections 406,420,323,341,504,447/34 of the Indian Penal Code.

It is alleged in the First Information Report that on persuasion of this petitioner, the informant had opened an account in the Prayag Bank and thereafter she deposited Rs.1000/- per month in her account and Rs. 500/- in the account of her son for a period of five years. When she desired to withdraw the money, the petitioner and other accused persons abused her and assaulted her.

Learned counsel appearing on behalf of the



petitioner has submitted that no offence under Section 406 of the Indian Penal Code is made out. He has also submitted that it is not allegation in the First Information Report that the petitioner had received any amount.

Considering the nature of accusation, this application is allowed.

Let the petitioner above named in the event of her arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, East Champaran at Motihari in Mehshi P.S. Case No.91 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

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(Chakradhari Sharan Singh, J)

