

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1818 of 2018

Arising Out of PS. Case No.-134 Year-2015 Thana- KHAJEKALA District- Patna

Mamta Kumari, Wife of Rajiv Kumar, a resident of Mohalla- Badi, Police Station- Town, District- Bhojpur, At present :- M.I.G. Colony Lohiya Nagar, Police Station- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv.
For the Opposite Party/s : Sri. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2018 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 467, 468, 420, 323, 504, 34 of the Indian Penal Code.

The prosecution case as per the Complaint Case No. 206 of 2015 filed by the complainant, Priyanka Kumari, which ultimately got registered as police case being Khajekalan P.S. Case No.134 of 2015, after complaint being transferred by the learned Court below under Section 156(3) of the Cr. P.C., is to the effect that the accused persons on the pretext of providing job in the Railways demanded Rupees Seven Lacs and the complainant deposited an amount of Rs. 1,73,000/- in the account of co-accused Rajeev Kumar on different dates and Rs. 62,000/- in the account of Mamta Kumari, the petitioner. But,



even after realizing the aforementioned amount, the complainant was not provided appointment. The accused persons further demanded Rupees Five Lacs, which was paid by the complainant to co-accused Rajeev Kumar. Thereafter, congratulation letter was transmitted to the complainant, but the joining letter was transmitted through registered post was found forged.

Learned Counsel for the petitioner submits that the petitioner never met the complainant, though she admits that amount of Rs. 62,000/- was deposited in her account. The thrust of accusation is against co-accused Rajeev Kumar, who has been granted regular bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 58067 of 2015, though petitioner is also an accused in one other case being Alamganj P.S. Case No. 451/14 with similar accusation, in which she is on bail.

Keeping in view the fact that it is admitted position that Rs. 62000/- was deposited in the account of the petitioner and the case was registered in 2015, though a bail application was earlier filed in 2016, but it was never finally processed for being listed, this Court is not inclined to interfere.

However, keeping in view the fact that the petitioner is a lady, let the learned Court below consider the prayer for



regular bail of the petitioner, if she surrenders within a period of six weeks in connection with Khajekalan P.S. Case No. 134 of 2015, pending before the learned SDJM, Patna City.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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