

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56864 of 2018

Arising Out of PS.Case No. -151 Year- 2016 Thana -SHASTRINAGAR District- PATNA

=====

Amita Devi, Wife of Sanjay Kumar Srivastava, Resident of Mohalla-
Ramdhanpur, P.S.- Kotwali, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Siwani Suman @ Juli, Wife of Prashant Kumar Singh, Resident of Flat
No.-5, Jai Prakash Nagar, Near A.G. Colony, P.S.- Shastri Nagar,
District- Patna.

.... Opposite Parties.

=====

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

for the informant.

The petitioner seeks pre-arrest bail in connection
with Shastri Nagar P. S. Case No. 151 of 2016 registered under
Sections 419 and 420 read with 34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that
the FIR has been instituted on the basis of a complaint, which
was referred to the police under Section 156(3) of the Code of
Criminal Procedure for investigation. He contended that the



allegations levelled in the complaint are absolutely false. That apart, even if the allegations are taken to be true, none of the ingredients of the offence punishable under Section 420 of the Indian Penal Code would be attracted. As far as Section 419 of the Indian Penal Code is concerned, the same is bailable in nature.

Learned Additional Public Prosecutor for the State and learned counsel for the informant submitted that the case is not as simple as has been explained by the petitioner. As a matter of fact, the petitioner has not only duped the informant, she has also duped many others. They submitted that the case is still under investigation and the manner in which the offence was committed disentitles the petitioner from grant of pre-arrest bail under Section 438 of the Code of Criminal Procedure.

Having heard learned counsel for the parties and on the facts and in the circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in Shastri Nagar P. S. Case No. 151 of 2016, subject to the



conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--

