

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.594 of 2018

Arising Out of PS.Case No. -735 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Ranjana Kumari, daughter of Bauku Das, Wife of Jai Kumar, Resident of
Village-Durgapur, P.S.-Muffasil, District-Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Khagaria P.S. Case No. 735 of 2017 registered under
Sections 419, 468, 471 and 120-B read with 34 of the Indian
Penal Code.

It is submitted by the learned counsel for the
petitioner that from the allegations made in the FIR, at best, it
would be a case of cheating by personation, which is bailable in
nature. He submitted that there is no allegation of forgery or
forgery for the purpose of cheating and, thus, the ingredients of



the offences punishable under Sections 468 and 471 of the Indian Penal Code are not attracted.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. He submitted that from perusal of the FIR itself, it would transpire that in place of petitioner, one Mamta Kumari was appearing in examination being held for selection of police constable.

Considering the submission that the offence punishable under Section 419 of the Indian Penal Code is bailable in nature and the ingredients of other offences are not attracted, in the event of arrest or surrender in the court below within six weeks from today, the petitioner, who is a lady reported to have no criminal antecedent, 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 the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 735 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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