

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11520 of 2018

Arising Out of PS. Case No.-91 Year-2017 Thana- CHAUTHAM District- Khagaria

Kavita Devi, Wife of Rinku Sharma, Resident of Village-Jai Prabha Nagar,
Police Station-Chautham, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. NAWAL KISHORE PRASAD

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

This is the 3rd round of litigation. Earlier the prayer for bail of the petitioner was rejected vide orders dated 08.08.2017 and 21.12.2017, passed in Cr. Misc. No. 30039 of 2017 and Cr. Misc. No. 62448 of 2017 respectively.

Petitioner is languishing in judicial custody since 13.05.2017 in connection with Chautham P.S. Case No. 91 of 2017 for offences punishable under Sections 420, 406, 409, 120-B, 467, 468, 471/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that the petitioner was facilitator and coordinator of grant of KCC loan of Rs. 1 lac and on the pretext of taking Rs. 3,000/- she had assured of the loan but fraudulently Rs. 95,000/- was withdrawn



from the KCC account of the informant which was not received by him.

It has been submitted by the learned counsel for the petitioner that she is innocent and has not committed any offence. He further submits that charges have been framed and the petitioner is ready to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has duped not only the informant but many other innocent persons who have not yet received any KCC loan in their Bank account.

Considering the facts and circumstances, the nature of allegation and the period of custody having no criminal antecedent, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Chautham P.S. Case No. 91 of 2017, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J)

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