

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40022 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- ASANWA District- Siwan

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BABITA DEVI @ SABITA DEVI W/o Om Prakash Sah R/o village- Rampur
Udhav, P.S.- Asaon, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kaushal Kishore Mishra
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 18-10-2019 This application, for grant of anticipatory bail, arises
out of Asaon P.S. Case No. 10 of 2019, disclosing offences under
Sections 420, 406, 323, 504 and 506/34 of the Indian Penal Code.

As per F.I.R., there is allegation against the petitioner that she along with others demanded Rs. Six Lakhs from the petitioner as loan from the informant and assure to return the same within one month but when the informant demanded his money, the same has not been returned by the petitioner and the legal notice sent by the informant has also not been replied by the petitioner.

Submission of learned counsel for the petitioner is that she is a lady and has falsely been implicated in this case, there was deal for sale of land between the informant and other accused persons, in which, the petitioner was only coordinator, which will appear from annexure – 2, which is a receipt of money given by the vender and her son. The petitioner has earlier been granted privilege



of provisional anticipatory bail and she has not misused the same.

Learned counsel for the State as well as informant opposed the prayer for anticipatory bail and submitted that annexure – 2 does not bear the signature of the petitioner and only with a view to evade the payment, the same has been created and it is admitted fact that amount in question has been deposited in the account of the petitioner.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

Provisional bail granted to the petitioner vide order dated 26.08.2019 stands withdrawn.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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