

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59989 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- RAJIVNAGAR District- Patna

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Babita Kumari W/o Ravi Kumar Sharma Resident of Road No. 4, Jai Prakash
Nagar, P.S. - Rajeev Nagar, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 11-02-2019 The petitioner has preferred this application for bail
in a case registered for offences punishable under Sections 419,
420, 406 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report of
Ashok Kumar Pathak submitted to S.H.O., Rajeev Nagar Police
Station is to the effect that the petitioner, her husband, namely,
Ravi Kumar Sharma, were known to the informant from before.
The petitioner and her husband wanted to start ready-to-eat food
business, namely, M/s R.K. Food and in pursuance to that the
informant entered into an agreement with the informant's wife,
consequently Rs.7,50,000/- was paid to the petitioner and her



husband, but on one pretext to another, the business could not start and in spite of the making demand of the said amount, payment was not made to the informant. Hence, the present case was registered.

It is submitted by learned counsel for the petitioner that the petitioner admits the payment of Rs.7,50,000/-. Since the petitioner was granted provisional bail vide order dated 27.09.2018 passed in Cr. Misc. No.59989 of 2018 and in pursuance to that Rs.50,000/- was paid and another Rs.50,000/- was paid at the time of grant of bail to the husband of the petitioner. It is further submitted that the petitioner is ready to deposit the remaining amount of Rs.6,50,000/- within a period of one year in six bi-monthly equal installments through bank draft before the learned Court below, which will be released in favour of the informant.

Learned counsel for the informant accepts the offer of the petitioner and accepts the payment of Rupees One lakh, but submits that due to past conduct of the petitioner, he is apprehensive about the promise made by the petitioner.

In the circumstances, the provisional bail granted to the petitioner in connection with **Rajeev Nagar P.S. Case No.37 of 2018** pending in the Court of learned ACJM, Patna



vide order dated 08.10.2018 is extended till 10.02.2020. The provisional bail will be confirmed by the learned Court below on submission of Rs.6,50,000/- by way of demand drafts.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

Rahul/sunilkumar/-

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