

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42927 of 2019**

Arising Out of PS. Case No.-52 Year-2019 Thana- SIWAN COMPLAINT CASE District-  
Siwan

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Mira Devi @ Mira Kumari, Wife of Dinesh Kumar Giri Resident of Village -  
Angota, P.O.- Mirzapur, P.S.- Nautan, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr.Ashish Giri, Advocate     |
| For the Opposite Party/s | : | Mr.Ranjit Kumar, Advocate    |
| For the State            | : | Mr. Shyam Kr. Singh, APP 138 |

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      12-07-2019                      Heard learned counsel for the petitioner and learned  
counsel for the informant as well as the Additional Public  
Prosecutor for the State.

The petitioner is languishing in custody for the  
offence under Sections 406 of the IPC and Section 138 of N.I.  
Act.

According to the complaint petition the petitioner and  
her husband Dinesh Kumar Giri were agents of the post-office  
and the complainant was their sub-agent. Allegation is that  
through the complainant, installment of different account was  
collected from different customers and handed over to the  
petitioner and her ..... However, the same was not deposited in  
the post-office and entry was made in the passbook by the



petitioner and returned to the real consumers. When the matter was detected a case of cheating was lodged.

Learned counsel for the complainant submitted that the petitioner sworn affidavit in the nature of undertaking that infact Rs. 74,00000/- was handed over to her and her husband for depositing in the post-office which could not be deposited and they admitted their liability to reimburse the same.

Submission of the learned counsel for the petitioner is that there is no evidence that any amount was handed over to the petitioner's husband in cash and the entire document produced, was obtained on pressure or coercion. Petitioner is in custody since 13.05.2019. She has got no criminal antecedent.

Learned counsel for the informant opposed the prayer for bail.

Considering the aforesaid facts and nature of allegation and material available on the record, let the petitioner, above named, be released on bail, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Complaint Case No. 52 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial



jurisdiction of the learned Court below having immovable property in his name.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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