

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45202 of 2019

Arising Out of PS. Case No.-549 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Archana Kumari, Wife of Amod Kumar Amod, Resident of Maurya Girls Hostel, Naya Tola, P.S.-Kadamkuan, District-Patna. Permanent resident of village-Manikpur, P.O-Kabarpur, P.S-Suryagarha, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nand Kumar, Son of Late Karu Sao, Resident of Purani Bazar, Bakhtiyarpur, P.S.-Bakhtiyarpur, District-Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anant Kumar- 1, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 549 (C) of 2016, disclosing offence under Section 420 of IPC.

Allegation against the petitioner is that complainant given Rs.1,00,000/- in cash and 20,00,000/- through cheque to the petitioner for purchase of a piece of land or flat, but neither the flat was available to the complainant nor money was returned to him.

Submission of the learned counsel for the petitioner is



that earlier husband of the petitioner moved before this Court and a Co-ordinate Bench of this Court, vide order dated 17.07.2019 passed in Criminal Misc. No.43887 of 2019 has allowed the anticipatory bail on condition that petitioner shall return Rs.10 lakhs through cheque within one month from the date of order and thereafter, petitioner shall return the remaining Rs.10 lakhs in two equal installments within two months and there is further direction that if the petitioner did not return the entire amount within three months, the learned court below shall cancel the bail bonds of the petitioner and shall take steps for taking the petitioner in that case. The petitioner in this case is wife of the petitioner in the above case.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that process under Sections 82 & 83 has already been exhausted against the petitioner.

Having heard both sides, considering the above facts and circumstances, let the petitioner surrender before the learned court below and make prayer for regular bail, which shall be considered by the learned court below that the husband of the petitioner has already been granted conditional bail by the Court and the main allegation is against the husband of the



petitioner and considering the same, disposed of the bail application of the petitioner, on the same day.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

