

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53712 of 2019

Arising Out of PS. Case No.-196 Year-2019 Thana- KISHANGANJ District- Kishanganj

RABINA KUMARI BOSAK @ RAVEENA KUMARI BOSAK @
RAVEENA KUMARI BASAK D/o Ganesh Prasad Bosak @ Ganesh Bosak
R/o village- Tantibasti, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kishanganj P.S. Case NO. 196 of 2019, disclosing offences under Sections 420,406,379,120B,506 of the Indian Penal Code.

It is alleged in the First Information Report that the petitioner had duped the informant of a sum of Rs. 3 lacs under the pretext of taking loan with assurance of repayment. The informant has allegedly refused to pay the amount.

Learned counsel appearing on behalf of the petitioner has submitted that the alleged victim has not filed any complaint or F.I.R. He has contended that no offence can be said to be made out under Section 406 of the Indian Penal Code, even if the allegation made in the



First Information Report is taken to be true.

Considering the nature of allegation, this application is allowed.

Let the petitioner above named in the event of her arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in Kishanganj P.S. Case No. 196 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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