

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62960 of 2019

Arising Out of PS. Case No.-121 Year-2016 Thana- GAUNAHA District- West Champaran

FATMA KHATOON Wife of Mahmood Mian Resident of Village - Gaunaha,
P.S.- Gaunaha, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Bank of India Through the Branch Manager, State Bank of India.
Gaunaha, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 447, 341, 323, 353, 379, 427, 504 and 506/34 of the Indian Penal Code, registered in connection with Gaunaha P.S.Case No. 121 of 2016.

3. It is submitted that the petitioner has been falsely implicated on the accusation of entering into the Bank premises and committed scuffle with the Bank staff and lady constable deputed in the Bank and put hindrance in transaction of cash at the cash counter and snatching earring of the lady constable. It is submitted that, as a matter of fact, the petitioner has gone to



the Bank for exchange of demonetized currency notes. The Bank employees were giving priority to their own persons, which was protested by the petitioner, leading to lodging of the present FIR. In any event, no specific overt act has been attributed to the petitioner. It is submitted that for the same occurrence one Gaunaha P.S. Case No. 122 of 2016 was lodged by the lady constable which has been merged with the present case.

None appears on behalf of the opposite party-State Bank of India, on whose behalf appearance has been entered *suo motu*.

4. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner 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 learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 121 of 2016, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of



the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall be well represented in court on on each and every date during trial, except as and when directed by the learned court below to be physically present and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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