

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68980 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- CHHATAUNI District- East Champaran

Ritu Devi, W/o Dhiraj Shrivastava, R/o Mohalla- Bailley Sarai, Motihari,
P.S.- Motihari (Town), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-11-2019 This is an application for grant of anticipatory bail in connection with Chhatauni P. S. Case No. 33 of 2018, disclosing offences under Sections 406, 420, 34 of IPC.

As per F.I.R. there was a talk of sale of a piece of land between the parties, on which, the informant has given Rs.4,00,000/- to the petitioner and Rs.1,40,000/- was due and it was agreed that once the informant is paid Rs.1,40,000/-, the petitioner shall execute the sale deed. However, when the informant has approached the petitioner to execute the sale deed after arranging the due amount, petitioner and her husband have not executed the sale deed. Later on, they have issued two cheques of Rs.2,00,000/-, each, but those cheques were bounced on production and they are not ready to execute the sale deed. It further appears that they are accused in other cases also.



Submission of the learned counsel for the petitioner is that the main allegation is against the husband of the petitioner. She has falsely been implicated in this case. The cheques have also been issued by her husband.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that petitioner and her husband are in habit of playing fraud with the persons and earlier they are accused in other cases also. As such, she is not entitled for privilege of anticipatory bail.

Having heard both sides, in view of the allegations, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, she may surrender before the learned court below and make prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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