

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31493 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

MANISHA KUMARI W/o Bhola Jha R/o Village- Bela Simari, P.S.-
Gangaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Adv
For the Informant	:	Mr. Shubhesh Pandey, Adv.
For the State	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 19-05-2021 Heard Mr. Ravindra Kumar, learned counsel for the petitioner, Dr. Ajeet Kumar, learned Additional Public Prosecutor for the State and Mr. Shubhesh Pandey, learned counsel appearing for the informant through video conferencing.

2. Petitioner apprehends her arrest in connection with Begusarai Town PS Case No. 50/2019 registered for the offence punishable under sections 419/420/406/120(B) of the Indian Penal Code.

3. The allegation, as per First Information Report, is that the petitioner along with her husband and others duped the informant and her daughter in the name of providing Government job to the maternal grand son of the informant and on that pretext took Rs. 5 Lacs on different dates from the informant and her daughter.



4. Learned counsel for the petitioner submits that petitioner and others have falsely been implicated in this case inasmuch as from perusal of the statement of the informant, it would be evident that the daughter of the informant, Putul Devi was working as a maidservant in the house of petitioner and there was some dispute regarding wages and further through the petitioner the said Putul Devi took some jewelry from the co-accused, Dharam Sah who is a jeweler, in the marriage of her sister's son on the basis of deferred payment, for which, Rs. 49,000/- thousand was given to the co-accused, Dharam Sah which is mentioned in the FIR itself.

5. It has further been submitted that in order to avoid payment of cost of jewelry to the co-accused, Dharam Sah, the present FIR has been lodged implicating the petitioner, her husband and others. Learned counsel further submits that similarly situated co-accused, Bhola Jha has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 31691/2020.

6. On the other hand, learned counsel for the State as well as informant vehemently, opposed the prayer for anticipatory bail of the petitioner and submit that petitioner had introduced herself to the informant and her daughter as an



employee of Civil Court Khagaria and in order to support her statement, she had given Identity Card of Khagaria Civil Court, along with PAN Card and Adhar Card and on the pretext of providing Government job, the informant and her daughter were duped with sum of Rs. 5 Lacs.

7. Learned counsel further submits that allegation against the petitioner is different than that of co-accused, Bhola Sah inasmuch as Identity Card of Khagaria Civil Court of the petitioner was produced in order to allure the informant and her daughter.

8. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused person, Bhola Jha who is husband of the petitioner, has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

9. Accordingly, petitioner, Manisha Kumari shall be released on anticipatory bail in the event of arrest/surrender within six weeks, on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Begusarai Town PS Case No. 50/2019,



subject to the conditions that (i) one of the bailors shall be a close relative of the petitioner (ii) that the petitioner shall co-operate with the Court/police/prosecution, failure of which, shall lead to cancellation of her bail bonds.

10. It is made clear that at the time of furnishing bail bonds, the parties are strictly to maintain covid protocol of lockdown, social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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