

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35937 of 2019

Arising Out of PS. Case No.-404 Year-2018 Thana- KADWA District- Katihar

RENUKA DEVI @ NIRUKA DEVI D/o Dukhai Das, W/o Ful Kumar Das
Resident of Village - Barahiya, Bharri, P.S.- Kadwa, Dist.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Deepak Kumar, Advocate Mr. Harish Chandra Patel, Advocate
For the State	:	Dr. Mrityunjaya Kr. Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

11 21-10-2021 Heard the learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest for the offences
alleged under Sections 406 and 409 of the Indian Penal Code,
registered in connection with Kadwa P.S. Case No. 404/2018.

Learned counsel for the petitioner has submitted that
she is not named in the FIR. The main allegation of withdrawal
of amount is against co-accused Bhagirath Ray. Moreover, vide
order dated 23.01.2020, passed by the Additional Sessions
Judge-IV, Katihar in Bail Petition No. 788 of 2019, the co-
accused Bhagirath Ray was granted regular bail. Said Bhagirath
Ray had assured the learned court below to pay the entire
money of Rs. 14,37,843/- in Civil Court Katihar Nazarat within
three months in three equal instalments.

The learned APP has submitted that the case diary has
been received and in paragraphs 5, 6, 7 and 8 thereof the name



of the present petitioner namely Renuka Devi @ Niruka Devi has figured.

The petitioner is not named in the FIR. Co-accused Bhagirath Ray, against whom the main allegation of withdrawal of money by playing fraud was already granted bail by the learned court below on his assurance of the payment of entire amount within three months in three equal instalments, considering the facts and circumstances of the case, the petitioner above-named, in the event of her arrest or surrender before court below within four weeks from the date of communication of this order, shall 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 CJM, Katihar in connection with Kadwa P.S.Case No.404 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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