

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9145 of 2022

Arising Out of PS. Case No.-257 Year-2021 Thana- CHAKAND District- Gaya

Sapna Kumari Wife of Anil Kumar Resident of Mohalla- New Godam,
Thakurbari, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Anand, Advocate
For the State	:	Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 25-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Chakand
P.S. Case No. 257 of 2021 registered for the offence under
Sections 406, 420 and 120(B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.12.2021.

The allegation against the petitioner is cheat several
villagers by collecting cash of Rs.5,000/- (Rupees Five
Thousand) from each against assurance to give benefit of
government scheme, launched for the persons living below
poverty line.

Learned counsel appearing on behalf of the petitioner



submitted that the present F.I.R. was lodged after a delay of four months without any just explanation. It is submitted that as the petitioner was the tenant of the informant, present false implication was made due to certain dispute relating to tenancy. It is submitted that during the course of investigation, no cash was recovered from the possession of the petitioner and nothing surfaced during the course of investigation, which may connect the petitioner with the present occurrence. It is further submitted that the documents seized from the room of the petitioner belongs to the petitioner, as per seizure list. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that F.I.R. was lodged after a delay of four months.

Considering the facts and circumstances as mentioned above, as the F.I.R. against the petitioner was lodged after a delay of four months without any just explanation coupled with the fact that petitioner is a lady of clean antecedent, let the petitioner, above named, is directed to be released on bail in



connection with Chakand P.S. Case No. 257 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gaya, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Suresh Sharma, who is the maternal uncle of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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