

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39545 of 2021

Arising Out of PS. Case No.-553 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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SUMAN KUMARI @ SUMAN D/O KRISHNA PRASAD @ KRISHNA
PRASAD JAISWAL R/o Mohalla- Gandhinagar, Kalwar Patti, P.S.-
Chanpatia, District- West Champaran. Also Resident of Pragati Nagar, Ujjain
Tola, P.S.- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Jagjit Roshan, Adv.
For the State	:	Mr.Arun Kumar Pandey, APP
For the Informant	:	Mr. Sanjeev Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-06-2022 Heard the learned counsel for the petitioner
and the learned A.P.P. for the State.

This is an application for grant of anticipatory
bail in connection with Bettiah Town P.S. Case No.
553 of 2020 (G.R. No. 4216 of 2020) registered for
the offence punishable under Sections 406, 420,
506 and 34 of the Indian Penal Code.

The case of the prosecution in brief is that the
co-accused person, namely, Manoj Prasad Jaiswal,
introduced the other co-accused person, namely,
Krishna Prasad Jaiswal, to the informant whereupon
they had represented that if any money is
deposited with them, the same would earn interest



@ of 33% per annum. It is the further case of the informant that being lured by the offer given by the co-accused person named hereinabove, the informant had deposited a huge sum of Rs. 34,00,000/- an odd with the said co-accused person, namely, Krishna Prasad Jaiswal on the assurance that he would get a return of 33% per annum as interest. It is also alleged that a sum of Rs. 34,000/- was also deposited in the bank account of the daughter of the said Krishna Prasad Jaiswal i.e. the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is a young unmarried girl and is a student, who has been falsely implicated in order to create pressure on the main accused person, namely, Krishna Prasad Jaiswal, to return the money of the informant. It is also submitted that as far as the amount of Rs. 34,000/- is concerned, the said



amount has already been returned to the informant in his account standing in the name of Jai Mata Di Trading in two installments i.e. Rs. 5000/- on 27.3.2019 and Rs. 30,000/- on 27.3.2020. Lastly, it is submitted that if at all anyone is having any complicity in the matter, it might be the co-accused person, namely, Krishna Prasad Jaiswal.

The learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the prayer for bail. However, at this juncture, the learned counsel for the informant submits that it be indicated that the main accused in the present case, who is having complicity in the alleged crime, is the co-accused person, namely, Krishna Prasad Jaiswal.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is a young student and an



unmarried girl, who is not having any specific role to play in the alleged occurrence, apart from the fact that the petitioner has categorically stated in paragraph no. 8 of the present petition that if at all any amount is stated to have been deposited in the account of the petitioner, the same has stood returned, apart from the fact that the main accused in the present case seems to be the co-accused person, namely, Krishna Prasad Jaiswal, who is alleged to have swindled a huge sum of money, belonging to the informant, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Civil Court, Bettiah, West



Champaran, in connection with Bettiah Town P.S.
Case No. 553 of 2020, subject to the conditions as
laid down under Section 438(2) of the Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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