

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45553 of 2021

Arising Out of PS. Case No.-493 Year-2019 Thana- JAKKANPUR District- Patna

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RIMPI KUMARI W/O Sri Praveen Kumar Resident of Mohalla - Postal Park,
Road No. 1, P.S. - Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	: Mr. Rahul Kumar, Adv.
For the Opposite Party/s	: Mr. Amresh Kumar Sinha, Adv.
For the informant	: Mr. Bhanu Pratap Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 406, 420, 341, 323, 354, 505, 506 and 34 of the Indian Penal Code and section 138 of the Negotiable Instruments Act.

As per the prosecution case, the petitioner and her mother took a loan of Rs.16 lacs from the husband of the informant and they assured to return back the same. It is stated that two cheques given by them bounced due to insufficiency of fund. Thereafter another cheque of Rs.16 lacs was given which was also dishonoured. On the informant asking the petitioner to



return the amount, the petitioner and another accused person started to abuse and assault the informant and others.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The matter is one of civil dispute which would be evident from perusal of the agreement for sale and a title suit is going on between the informant and the father of the petitioner. It is further submitted that there is delay in lodging of the F.I.R. The petitioner is in custody since 18.3.2021 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant who submits that there is direct allegation against the petitioner in the F.I.R. of having cheated the informant of Rs.16 lacs.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation, the copies of agreements and the plant of the title suit have been brought on record with the supplementary affidavit, the petitioner not having any criminal antecedent and being a lady having remained in custody for over 10 months, the Court directs the petitioner to be enlarged on bail in connection with Jakkanpur. P.S. Case no. 493 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the
learned ACJM 1, Patna.

(Partha Sarthy, J)

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