

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41906 of 2022

Arising Out of PS. Case No.-149 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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BHAWANI DEVI Wife of Ram Mohan Singh Resident of Village - Pasain,
P.S. - Belaon, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritesh Kumar Pathak Son of Rameshwar Pathak Resident of village -
Sindhi, P.S. - Belaon, District - Kaimur at Bhabua at present Bhabhua Ward
No.- 11 Chakabandi Road, P.S.- Bhabhua, District - Kaimur at Bhabhua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arabind Nath Pandey
For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending her arrest in connection
with Complaint Case No. 149 of 2020 instituted for the offence
under Sections 420 of the Indian Penal Code and Section
138(A) of the N.I. Act.

As per the complaint petition, the petitioner is the
proprietor of Janki Rice mill and co-accused persons are the
partners in the said business and as alleged at the inducement of
the petitioner and co-accused persons, the complainant sold
paddy costing to Rs. 7,40,000/- on credit and on repeated



demand at the direction of the petitioner, co-accused issued a cheque to the same amount to which the complainant submitted before Ban k but the same has been dishonored. It is further alleged that the petitioner and co-accused persons noticed through his Advocate but they did not pay the amount.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. She has falsely been made accused in this case. It is further submitted that petitioner has not issued a cheque bearing no. 007840 of Axis Bank in name of the complainant. She has no concern with the furnishing cheque or with the main co-accused Ajay Kumar. It is further submitted vide para 19 of the petition that she is not partner of Maa Durgeshwari rice mill situated at Sinjhua.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Complaint Case No. 149 of 2020, she will be enlarged on 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, Kaimur at Bhabua subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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