

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32209 of 2021**

Arising Out of PS. Case No.-705 Year-2020 Thana- KAHALGAON District- Bhagalpur

SITA JHA W/o Ajait Jha @ Ajit Jha Resident of Haridayganj, P.S.- Manihari
Muf., District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

7 12-07-2022 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in anticipation of her arrest in connection with Kahalgaon P.S. Case No. 705 of 2020 dated 05.11.2020 instituted for the offences under Sections 406, 420 and 120-B of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other FIR named accused persons, on the pretext of providing loan of Rs. 35,00,000/- (thirty five lacs), took a sum of Rs. 3,50,000/- (three lacs & fifty thousand) from the informant. It is further alleged that in the same manner, a sum of Rs. 10 lacs has allegedly been taken from one Prabha Devi on the pretext of providing a loan of Rs. One Crore and to this effect, a cheque of



Rs. One Crore was issued from the account of Shivani Swayam Sahayata Samuh, Neelganj Koti, Gulab Bagh, Purnea, which bears the signature of co-accused Manorma Devi, as cashier and of Sita Jha, as Chairperson. Upon inquiry, it revealed that there was no fund in the said account and thus, this petitioner alongwith other FIR named co-accused have cheated the informant and other person(s).

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He submits that the informant has not brought on record a chit of paper or any receipt in support of the alleged payment. It is further submitted that the FIR was lodged after delay of five months and there is no plausible explanation of delay. It is stated in paragraph 3 of the bail petition that the petitioner has got clean antecedent.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail. They submit that there is specific allegation against the petitioner that petitioner in league with other accused persons cheated the informant and other accused persons. The cheque which was handed over to the victim bears the signature of this petitioner.

Considering the specific allegation against the



petitioner, his prayer for bail is refused with direction to
surrender and seek regular bail which would be considered and
disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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