

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56440 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- SHYAMPUR BHATHA District-
Sheohar

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1. Sanju Devi Wife of Dilip Kumar Gupta Resident of Village - Rajepur, P.S.-
Rajepur, District - East Champaran, Motihari.
 2. Seema Devi Wife of Indrajeet Sah Resident of Village - Rajepur, P.S.-
Rajepur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-11-2022 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

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

The petitioners seek bail in connection with
Shyampur Bhataha P.S. Case No. 124 of 2021 registered for the
offence under Sections 406, 420, 504 and 120(B) of IPC and
subsequently converted under Sections 420, 467, 468, 471, 504,
506, 120(B) and 34 of IPC and Section 3 of the B.P.I.D Act.

The accused/petitioners are not named in the F.I.R.
and both are in custody since 27.07.2022.

The allegation against the petitioners is to cheat the



informant and others, along with other co-accused persons, to deposit money, where each women members deposited Rs. 22,500/- on monthly basis.

Learned counsel appearing on behalf of the petitioners submitted that the petitioners are not named in the F.I.R., subsequently, their name surfaced during the course of investigation, where allegation is appearing marginal and limited to assist the main accused, namely, Nirbhay Kumar Yadav. It is submitted that the similarly situated co-accused person has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 7926 of 2022 vide order dated 25.07.2022. While concluding the argument, it has been submitted that both petitioners are ladies and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that both petitioners are not named in F.I.R.

Considering the facts and circumstances as mentioned above, as no incriminating surfaced during the course of investigation, which may connect both petitioners with allegation, as raised through F.I.R., where both petitioners are



ladies coupled with the fact that charge-sheet has already been submitted, let both above named petitioners are directed to be released on bail in connection with Shyampur Bhataha P.S. Case No. 124 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, Sheohar/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ravikr-Pooja/-

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