

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5975 of 2023

Arising Out of PS. Case No.-689 Year-2014 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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RINKU KUMARI Wife of Bhushan Prasad R/V- Bans Vigaha, P.S- Dhanarua,
Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Kumari Wife of Mahendra Prasad R/V- Khadi Lodipur P.S- Hilsa,
Dist-Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prabhat Kishore

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 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 Complaint Case No. 689C/2014 registered for the offence punishable under Sections 420 and 120B of the Indian Penal Code.

The case of the complainant, in brief, is that on 3.12.2012, the petitioner and her husband, Birendra Prasad, are stated to have allured the complainant, whereafter the complainant is stated to have gone to the premises of Sindhu ANM Nursing School situated at Sampat Chak, Patna and met his Director, namely, Pramod Kumar Suman, on 3.12.2012,



whereafter she had taken admission by paying a sum of Rs. 1,90,000/-, however, subsequently, it is the allegation of the complainant that she was not permitted to sit in the exam and the degree was also not granted to her.

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 female, who has got no role to play in the alleged occurrence, inasmuch as it is not the allegation of the complainant that the complainant was taken to the Director of the aforesaid Nursing Institute by the petitioner and moreover, no money is alleged to have been either handed over to the petitioner or to the aforesaid Director in presence of the complainant, thus, the petitioner is not having any complicity in the matter. It is also submitted that it may be possible that her husband or the aforesaid Director of the Nursing college, namely, Pramod Kumar Suman, may be having complicity in the matter, but the petitioner is not having any role to play in the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record and considering the fact that neither the petitioner had accompanied the complainant to the premises of the aforesaid Nursing Institute nor the complainant had met the aforesaid Director of the Nursing Institute in the presence of the petitioner nor any money was paid to the petitioner or to the said Director in her presence, 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 furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1 Hilsa, Nalanda in connection with Complaint Case No. 689 C of 2014, 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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