

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33098 of 2023

Arising Out of PS. Case No.-421 Year-2021 Thana- NATHNAGAR District- Bhagalpur

Bibi Khushboo Jabbar @ Khushboo Wife Of Ashraf Alam @ Sharwar Alam
Resident Of Village- Khaira, Ps- Shahkund, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant	:	Mr. Anamullah, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No. 421 of 2021
registered for the offence under Sections 406, 420, 504/34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.03.2023.

The allegation against the petitioner is to receive an
amount of Rs. 2,00,000/- (Rupees Two Lac Only) fraudulently,
which claimed to be of informant.

Learned counsel appearing on behalf of the petitioner
submitted that as petitioner received an amount of Rs.



2,00,000/- (Rupees Two Lac Only) as transferred from the bank account of her husband which is also one of the co-accused of this case, namely, Md. Asraj Alam @ Sarwar, she has been made accused in this case. It is submitted that save and except suspicion out of said transactions, nothing surfaced during the course of investigation which may incriminate petitioner, *prima facie*, with present set of allegation. It is submitted that both informant and husband of petitioner were working together for one C.S.P. of RBL Bank (Nathnagar branch, Bhagalpur). It is further submitted that thrust of allegation is available against husband of the petitioner. While concluding the argument, it has been submitted that petitioner is a lady of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by the learned counsel Mr. Anamullah appearing on behalf of the informant opposed the prayer of bail.

Considering the facts and circumstances as mentioned above, as the implication of petitioner appears only, *prima facie*, being wife of main co-accused, namely, Md. Asraf Alam @ Sarwar, where petitioner is a lady of clean antecedent coupled



with the fact that charge-sheet has already submitted, where petitioner is in custody since 25.03.2023, accordingly, the petitioner, above named, is directed to be released on bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 421 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 Judicial Magistrate 1st Class, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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