

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40202 of 2023

Arising Out of PS. Case No.-2 Year-2020 Thana- C.B.I CASE District- Patna

NIRMALA KUMARI Wife of Vijay Kumar, D/o Late Brij Bihari Prasad
Resident of village - Bardih, P.S. - Islampur, Distt. - Nalanda, at present
Mohalla - Adarsh Bihar Colony, Road no. 1, Ramkrishna Nagar, New Bypass,
P.S. - Ramkrishna Nagar, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Central Bureau of Investigation, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kaushal Kishor, Advocate
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay, A.P.P.
For the C.B.I. :	Ms. Nivedita Nirvikar, Sr. Advocate
	Mr. Avanish Kumar Singh, Advocate, Spl.P.P.
	Mr. Ambar Narayan, Advocate
	Mrs. Barkha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-07-2023 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned Senior Counsel for the C.B.I.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 120(B)
and 420 of the Indian Penal Code and Section 7 of the
Prevention of Corruption Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a woman.
4. The informant alleges that in between 2015-2017
unknown railway employees in connivance with the
beneficiaries' Advocate (Bidyanand Singh) cheated the railways



in the railways death claim cases. It is further alleged that only part of the decreed amount was given to the claimant and major chunk was siphoned off by the conspirators in conspiracy.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner is not an employee of the railways. It is next submitted that petitioner being wife of one Vijay Kumar who was Advocate Clerk of Bidyanand Singh came to be implicated. It is also submitted that petitioner was completely oblivious of the fact that her husband along with Bidyanand Singh and other employees of the railway were involved in such kind of occurrence. It is further submitted that the C.B.I. has investigated the case and the petitioner has cooperated in the investigation and the charge-sheet has been submitted as such no justifiable purpose would be served by sending the petitioner to jail after the investigation is over and the charge-sheet submitted and the C.B.I. never felt the need of arresting the petitioner.

6. Learned A.P.P. for the State and learned Senior Counsel for the C.B.I. opposed the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that investigation is



over, charge-sheet submitted and as such no justifiable purpose would be served by sending the petitioner to jail.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special Case No. 10 of 2020, RC 2 (A) of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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