

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45123 of 2023**

Arising Out of PS. Case No.-371 Year-2019 Thana- MADHAURAH District- Saran

KANTI DEVI W/O BABAN SINGH R/O VILLAGE- BHATWALIYA, P.O-  
KHABASI, PS. BANIYAPUR, SARAN, CHAPRA, BIHAR-841443

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumar Shanu, Advocate

For the Opposite Party/s : Mr. Bharat Bhusan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      04-08-2023                      Heard Mr. Kumar Shanu learned Counsel for the  
petitioner and Mr. Bharat Bhusan who represent the State.

The petitioner apprehends his arrest in connection with Marhaura P.S. Case No. 371 of 2019 for the offence punishable under Sections 420, 406, 120 (b), 341, 342, 323/ 34 of the I.P.C lodged on 16.06.2019 by the informant Vijay Kumar.

As per the prosecution story, the allegation is that the complainant used to visit a Cyber cafe to fill job application and frequented with the accused persons, who offered job on Rs. 2,50,000/-, accordingly the amount was paid but no further development took place and later he realized that he has been duped, accordingly the complaint.

It is a case of the learned counsel for the petitioner



that she is an old lady and entire family members have been roped in and further since one after her another family members had to seek recourse to legal remedy, there has been delay in knocking the doors of this Court.

Learned APP opposes the prayer stating that in the name of job Rs. 2,50,000/- has been taken from the complainant.

Considering the fact that she is a lady, has no criminal antecedent, FIR has been lodged ultimately will have to face the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, in connection with Mahaura P.S. Case No. 371 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

**(Rajiv Roy, J)**

Jagdish/Jyoti/-

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