

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46300 of 2022

Arising Out of PS. Case No.-278 Year-2022 Thana- SHASTRINAGAR District- Patna

MAHIMA KUMARI @ MAHIMA DEVI WIFE OF BIJAY VIKRAM R/O
WARD NO. 45, NAVATOLIA, BALBHADRAPUR, P.S.- BAHADURPUR,
DIST.- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-01-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner apprehends her arrest in connection with
Shastri Nagar P.S. Case No.278 of 2022 instituted under Sections
417,418,419,420,467,471,120(B) of the Indian Penal Code and 66(D)
of I.T. Act.

As per the prosecution story, the Branch Manager, State
Bank of India, Rajbanshi Nagar Branch, Patna alleging that one Vijay
Vikram (husband of the petitioner) came to the branch for opening of
the account in the name of Dharmendra Das. As suspicion arose, he
was asked to enter his mobile number and on close scrutiny it was
found that he has also got an account in the name of lady (the
petitioner herein) opened on 16.05.2022, on which the Patiala Branch
of the State Bank of India informed that some suspicious transaction
has been made on the said account to the tune of Rs.1,40,000/-.



Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that the lady is the house wife, has nothing to do with the misdemeanour of the husband and/or opening of an account in her name and has been dragged in the case only because the account was existing in which according to the bank, some suspicious transaction has been made. It is his last submission that the lady do not have criminal antecedent.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that allegation is against her husband Vijay Vikram who has since been released on bail, the petitioner is a lady, has no criminal antecedent, this Court is inclined to grant her relief.

Let the petitioner be released on bail, in the event of her arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Shastri Nagar P.S. Case No.278 of 2022 to the satisfaction of learned A.C.J.M., IVth, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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