

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75528 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- JIRADEI District- Siwan

1. Rita Devi, Female, aged about 52 years, W/O Rakesh Kumar Ram
2. Suman Devi, Female, aged about 33 years, Wife Of Umesh Kumar Aman
Both are resident of Village- Lohagajar (Chhitapur), P.S.- Asaon, District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2023 Heard Mr. Ratneshwar Prasad, learned counsel

appearing on behalf of the petitioners and Mr. Ashok Kumar

Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Ziradei P.S. Case No. 51 of 2023 registered for the offence
punishable under Sections 420/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, it has been
alleged that petitioners along with co-accused altogether six in
number had withdrawn rupees 2 lacs from the S.H.G. Account
No. 37321296364.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent, however, to



get rid of the present criminal case, the petitioners voluntarily want to deposit one sixth of the two lacs rupees each by the two petitioners even though the signature has not been verified by the expert or the handwriting which has been put on the cheque or the withdrawal slip, has been sent to Forensic Science Laboratory for obtaining F.S.L. report. Petitioners have clean antecedent and they are women. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioners, as well as, the desire of the petitioners to get rid of such allegation being women, who seek to deposit one sixth part of two lacs rupees each, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Siwan,



in connection with Ziradei P.S. Case No. 51 of 2023, subject to the filing of the undertaking along with two responsible persons of the place where the petitioners reside that they will not involve in any criminal activity in future and other condition as laid down under Section 438(2) of the Cr.P.C.

8. It is made clear that the deposit of money will not be treated as acceptance of offence.

(Purnendu Singh, J)

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