

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9639 of 2024

Arising Out of PS. Case No.-681 Year-2022 Thana- BIDUPUR District- Vaishali

Ratna Devi wife of Ashok Kumar village- Chakjainav Ps- Bidupur Dist-
Vaishali Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi wife of Rajendra Rai Vill- Ahmadpur Bariarpur Ps- Rajapakar
Dist- Vaishali Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-02-2024 Heard Mr. Satya Prakash Sinha, learned counsel for
the petitioner and Mr. Uma Shankar Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Bidupur P.S. Case No. 681 of 2022, F.I.R. dated
20.12.2022 for the offences punishable under Sections 420, 467,
468, 471 and 120B of the Indian Penal Code.

3. According to prosecution case, this petitioner
collected money from the informant in the name of depositing
the same in post office account of the informant but no amount
has been deposited in the said account.

4. Learned counsel for the petitioner submits that
petitioner carries one criminal antecedent other than the present
one and she has falsely been implicated in the present case. But



learned counsel for the petitioner outrightly submits that the petitioner is ready to return the total amount of Rs. 2,59,000/- to the informant.

5. The learned Additional Public Prosecutor has no objection in this regard.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 681 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall furnish a demand draft of Rs. 1,00,000/- (one lakh) in favour of the informant/complainant, namely, Sunita Devi and the same shall be deposited at the time of furnishing bail bond and the court is directed to hand over the said demand draft to the informant or her representative and rest of the amount i.e. Rs. 1,59,000/- (one lakh fifty nine thousand) shall be paid in 4 equal monthly installments and if the



petitioner fails to pay the installments amount within the stipulated time then the informant has liberty to move before the appropriate forum for cancellation of the bail bond of the petitioner.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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