

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22958 of 2024

Arising Out of PS. Case No.-141 Year-2019 Thana- VISHNUPAD District- Gaya

Poonam Devi wife of Late Sunil Kumar Prasad Moh- Bahuara Chaura P.S.-
Vishnupad District - Gaya Petitioner/s

Versus

1. The State of Bihar
2. Subhash Kumar Jha son of Birchand Jain R/o- Haridas Chaterji Lain Ramna
Road P.S. - civil Line District - Gaya Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Vishnupad P.S Case No. 141 of 2019 registered for the offences punishable under Sections 406, 504, 420 and 34 of the IPC.

3. As per the prosecution case, the allegation against the petitioner is that she took money of Rs. 4,00,000/- (Rs. Four Lacs) from the informant for the purpose of selling her land. When the informant told the petitioner to do Kewalat, she refused to do so.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner is a lady and aged about 48 years. Her husband late Shiv Kumar Prasad has died on 17.12.2021. Learned counsel for the petitioner further submits that petitioner an



illiterate lady her husband is Karta of the family and the petitioner is not involved in the alleged occurrence.

5. However, learned APP for the State oppose the prayer for bail of the petitioner.

6. On perusal of the FIR, impugned order dated 01.09.2023, it appears that on the basis of written report of the informant FIR was registered against two accused persons including the present petitioner and accused Shiv Kumar Prasad is the husband of the present petitioner who died on 17.12.2021 and his death certificate is on record.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner, let the above named petitioner be released on bail in the event of her arrest or surrender before the court below within a period of six weeks from today on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Gaya in connection with Vishnupad P.S Case 141 of 2019 subject to the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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