

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20973 of 2024

Arising Out of PS. Case No.-639 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Lalima D/o Pursotam Singh R/o VILLAGE - SALEMPUR, BHARKA,
AMRITPUR, P.S. - RAJEPUR, DISTRICT - FARRUKHABAD, (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate.

For the Opposite Party/s : Mr.Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-07-2024 Heard Mr. Siddharth Harsh, learned counsel appearing
on behalf of the petitioner and Mr. Ajit Kumar, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Sasaram (Town) P.S. Case No. 639 of 2022 registered for
the offence punishable under Sections 379, 353 and 420 of the
Indian Penal Code.

3. As per the allegation made in the F.I.R., a fraud was
committed in an organized manner by the accused persons
named therein of Rs.11,500/- which the informant, by way of
advance, has given to the transport company and the transport
company never picked up the goods of the informant nor
returned the amount.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is neither transporter nor she has been benefited in any manner so far as the transaction of Rs.11,500/- is concerned. The informant himself has accepted that the said amount was transferred in the account of one Arpna Shukla and not in the account of the petitioner. Petitioner being innocent deserves to be released on bail.

5. Mr. Ajit Kumar, Learned APP appearing on behalf of the State referring to Para-107 of the case diary submitted that the complicity of the petitioner cannot be ruled out in view of the fact that several calls were made on the mobile number of the petitioner. As such, the petitioner don't deserve to be released on bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the informant has himself admitted that he has transferred the amount through Paytm into the account of Arpana Shukla. Only minuscule evidence against the petitioner is that several calls were received on her mobile phone from the phone by which the fraud was committed. The petitioner has clean antecedent. I am of the opinion that the petitioner has made out a case to be released on bail.

7. The petitioner, above named, is directed to be



released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram (Town) P.S. Case No. 639 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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