

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48351 of 2024

In
CRIMINAL MISCELLANEOUS No.5496 of 2022

Arising Out of PS. Case No.-2 Year-2019 Thana- C.B.I CASE District- Patna

Niru Kumari Wife of Raju Kumar Resident of C/O Anil Kumar, Balkrishna Ganj, Devi Asthan Alam Ganj, P.S.- Guljarbag, District - Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Economic Offences WING of CBI, Ranchi State Jharkhand Jharkhand

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Alka Singh, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For the C.B.I.	:	Ms. Nivedita Nirvikar, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsels for the parties.

2. This application has been filed for modification of the order dated 20.12.2022 passed in Cr. Misc. No. 5496 of 2022 whereby this Court was pleased to grant anticipatory bail to the petitioner with a direction that she shall refund Rs. 1,00,000/- (one lakh) through Bank Draft to the informant/Corporation Bank, Kankarbagh Branch, Patna at the time of furnishing bail-bond and thereafter, rest amount i.e., 11,69,453/- (eleven lakh, sixty-nine thousand, four hundred fifty-three) shall be refunded @ Rs. 25,000/- per month and as such, in 46 months, total Rs. 11,50,000/- would be refunded to the Bank and the rest money i.e., Rs. 19,453/- shall be deposited



in 47th month through Bank Draft to the Corporation Bank, Kankarbagh Branch, Patna, failing which, the learned trial court would be at liberty to cancel the bail-bond. The said deposit shall be subject to the final outcome of the case.

3. It is submitted by learned counsel appearing on behalf of the petitioner that son to the petitioner was born on 19.04.2022 and son of the petitioner is facing huge problems in his lungs and treatment of her son, the petitioner and her family has to spend huge amount of money every month and due to the same, she could not comply with the directions given by this Hon'ble Court with regard to refund of money.

4. On the other hand, learned counsel appearing on behalf of the State and learned senior counsel appearing on behalf of the C.B.I. have vehemently opposed this modification application and submitted that petitioner is named in the F.I.R. with specific accusation that she along with other accused persons fraudulently disbursed loans totaling to Rs. 4.44 crores in the name of 23 firms from the Corporation Bank, Kankarbagh Branch, Patna, on the basis of forged and fabricated documents.

5. Considering the aforesaid facts and circumstances of the case, rival submissions and nature of accusation, this modification application is rejected and order dated 20.12.2022



passed in Cr. Misc. No. 5496 of 2022, whereby this Court was
pleased to grant anticipatory bail to the petitioner in connection
with Special Case No. 2/2021 (RC-2(S) of 2019), is recalled.

(Prabhat Kumar Singh, J)

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