

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26252 of 2024

Arising Out of PS. Case No.-304 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

Manjusha Jha W/o- Sri Navkant Jha, R/o- Flat No- 303, Vishal Apartment,
Road No. 1, back of A.N. College, Shivpuri, Rajbanshi Nagar, P.S.- Shastri
Nagar, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2024 Heard Mr. Vijay Kumar Sinha, the learned counsel

for the petitioner and Mr. Brajendra Nath Pandey, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Sri Krishnapuri PS Case No. 304 of 2022, FIR

dated 07.08.2022, registered for the offences punishable under

Sections 406, 420 and 506 read with Section 34 of the Indian

Penal Code and under Section 138 of the NI Act.

3. According to prosecution case, one Navkant Jha

embezzled a huge amount of money from the informant and his

wife under the pretext of executing a sale deed. It is further

alleged that when the informant demanded his money back,

Navkant Jha gave Rs. 4,00,000/- (rupees four lakhs) as cash



along with two cheques of five lakhs each, however, both the cheques later got dishonored due to insufficient amount. It is further alleged that upon the informant's request, Rs. 2,00,000/- (rupees two lakhs) was transferred to the informant's account, but the amount of Rs. 12,50,000/- (rupees twelve lakhs and fifty thousand) still remained outstanding. It is further alleged that the informant was again offered another land and for the construction of cape beam for which he again took Rs. 1,00,000/- (rupees one lakh) from the informant, but the land was not registered and the accused persons directed the informant to return back.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is the wife of the co-accused person namely, Navkant Jha. He further submits that petitioner has not received any amount from the informant and all the amount has been received by the husband of the petitioner and the petitioner is not the office bearer of the company in question and she has no concern at all with the affair of her husband.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for



bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent, she has been made accused merely on the ground that she is the wife of the co-accuse person, namely, Navkant Jha and she has not received any amount from the informant, let the petitioner, above-named, in the event of her arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Sub-Divisional Judicial Magistrate, Patna, where the case is pending in connection with **Sri Krishnapuri PS Case No. 304 of 2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

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

(ii). 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.

(iii). And further condition that the trial Court 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 trial Court 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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