

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37083 of 2024

Arising Out of PS. Case No.-9020 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Abha Sharma@ Aabha Sharma Wife Of Tejan Sharma @ Tezan Sharma
Village- Cold Storage Lane (KISAN Cold Storage Lane), Musallahpur Post-
Mahendru, Ps- Kadamkuan, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umesh Kumar Son of Late Baidhnath Prasad Village- Shivpur Tikiya Toli,
Post- Mahendru, Ps- Sultanganj, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s :	Mr. Ashok Kumar Singh, APP
	Mr. Kumar Manglam, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a complaint
case punishable for the offence under Sections 406, 420 of the
Indian Penal Code and Section 138 of the N.I.Act.

3. It is alleged that petitioner's husband took six lacs
from complainant, as loan, for which this petitioner executed an
agreement with a promise that if the loan amount would not be
paid within six months, the land standing in her name would be
sold to complainant according to price of that time.

4. Learned counsel for the petitioner submits that from



bare perusal of complaint petition, it is apparent that complainant gave entire money to Tejan Sharma, husband of petitioner. Petitioner has not been paid any single penny and she has been made accused merely because she happens to be wife of co-accused Tejan Sharma. Moreover, the dispute is purely of civil nature. Petitioner is lady and has got clean antecedent.

5. Learned counsel for the opposite party no. 2 vehemently opposes the prayer for anticipatory bail.

6. However, considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna in connection with Complaint Case No. 9020(C) of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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