

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40655 of 2024

Arising Out of PS. Case No.-589 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Pinki Devi Wife of Naresh Rai Resident of Mohalla- Sahadara (Chhai Tola),
P.S- Malsalami, Dist-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi Wife of Bhagwat Gope Resident of Village- Ramdhani Road,
Sahadra, P.S- Malsalami, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Hari Tripathi, Advocate
For the O.P. No. 2	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr. Hari Tripathi, learned counsel for the

petitioner, Mr. Praveen Kumar, learned counsel for the Opposite

Party No. 2 as well as Mr. Raj Kishore Singh, learned APP for

the State.

2. Petitioner seeks bail, who is in custody since
06.03.2024, in connection with C.A. Case No. 589 of 2019,
dated 23.05.2019 registered for the offences punishable under
Sections 420, 323, 504 of the Indian Penal Code.

3. Allegation against the petitioner is that she has
committed fraud by taking money of Rs. 7,00,000/- from the
complainant for repairing her house.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has been falsely



implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. He further submits that from perusal of the complaint petition, the complainant has not stated anywhere in the complaint petition on which date the complainant has paid the amount in question to the petitioner and even she has not stated anywhere in the complaint petition that by which mode she has paid the amount to the petitioner and from perusal of the complaint petition it appears that the complainant has paid Rs. 7,00,000/- to the petitioner.

5. The learned counsel for the Opposite Party No. 2 vehemently opposed the prayer for bail of the petitioner and submits that complainant has paid Rs. 7,00,000/- to the petitioner but fairly submits that she has not stated anywhere in the complaint petition that on what mode she has paid the amount to the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City, Patna in



connection with C.A. Case No. 589 of 2019, subject to the following conditions :-

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

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below 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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