

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38669 of 2024

Arising Out of PS. Case No.-69 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Babli Kumari Wife of Gorakh Kumar Rai, Resident of Village - Sultanpur
Sanichara Asshan, P.S. - Danapur, District – Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanti Devi Wife of Ramesh Prasad, Resident of Village - Sultanpur Koiri
Tola, Shiv Ray Near Shiv Mandir, P.O. And P.S. - Danapur, District – Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Jyotsna Rani Mishra, Advocate.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Complaint Case No.69(C) of 2022, Trial No.58 of 2022
instituted under Sections 341, 323, 406 of the Indian Penal Code.

3. As per the prosecution case, the petitioner has taken
Rs.7 lacs and co-accused Durga Devi had taken Rs.9 lacs from
the complainant with assurance to return the same within three
months but they failed to return the same and on demand all the
accused persons entered in the complainant's house abusing her
and assaulted the complainant and her son and also snatched gold
earring of the complainant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this case.



It is further submitted that the loan taken from the complainant has already been returned by the petitioner but with the ulterior motive, the complainant has filed the false case against the petitioner. She further submits that petitioner has no criminal antecedent. Learned counsel for the petitioner submits that petitioner is a lady and she is ready to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate, First Class, Danapur (Patna) in connection with Complaint Case No.69(C) of 2022, Trial No.58 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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