

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50652 of 2023

Arising Out of PS. Case No.-187 Year-2019 Thana- PARSA District- Saran

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Anupam Kumari Daughter Of Shambhu Gosai @ Shambhu Goswami
Resident Of Village- Nagwa, Ps- Janipur, Chiraura, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2.Om Prakash Sharma, Son of Vishwanath Sharma, R/o Village-Samastpura,
P.S.-Bheldi, District-Saran.
3.Branch Manager, State Bank of India, NMCH Branch, Patna-800007.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Binay Kumar Sinha, Advocate
For the Informant	:	Mr. Ravi Prakash, Advocate
For the Opposite Party/s	:	Mr.Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-03-2024 Heard Mr.Binay Kumar Sinha, learned counsel for

the petitioner, Mr. Ravi Prakash, learned counsel appearing for

the informant and Mr.Damodar Prasad Tiwary, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Parsa P.S.Case No.187 of 2019, FIR dated
12.06.2019 registered for the offences punishable under
Sections 379,420 of IPC and Sections 66(B),66(C),66(D) of IT
Act.

3. Informant Om Prakash Sharma has filed this case
against the petitioner alleging that he has account in State Bank
of India, Parsa bearing A/c No. 32170803119. On 02.06.2019



Rs. 40,000 and 40,000/- have been transferred from his account through A.T.M. in the A/c No. 37952805170, Mobile No. 8051621264 Branch Code No. 5331 NMC, Patna whereas ATM of his account was with him. Again Rs. 20,000/- and 20,000/- have been withdrawn in cash from his account through A.T.M. After taking statement of account the informant came to know that said account stands in the name of the petitioner. As such, total Rs 1,20,000/-has been transferred and withdrawn from his account.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that when the petitioner came to know that some transaction has been made in her account, she has made complaint before the Branch Manager of the concerned Bank and also lodged a complaint before the concerned Police Station but no action was taken by the concerned Bank and the Police. Further submits that when the petitioner came to know that some amount has been credited in her account by some one on two occasions and she has withdrawn Rs. 17,000/- and 20,000/- from her account. Further



submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 02.06.2019 but the present FIR has been instituted on 12.06.2019 after delay of ten days without giving any explanation of delay.

5. Learned counsel for the informant, on other other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that when the informant came to know about the alleged transaction he has made complaint before the competent authority and also instituted the present FIR. Learned APP for the State, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation that the petitioner has received the amount in question and apart from that it also appeared that a number of transactions have made in the account of the petitioner which suggests that the petitioner is involved in the forgery matters and apart from that the petitioner has also withdrawn the amount from her bank account through the ATM Card.

6. Considering the aforesaid fact, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Parsa P.S.Case No.187 of 2019 pending in the



court of learned A.C.J.M.-IX, Saran at Chapra.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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