

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56993 of 2024

Arising Out of PS. Case No.-578 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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JULI DEVI @ JULIE DEVI WIFE OF SANTOSH KUMAR @ SANTOSH PRASAD RESIDENT OF NAYA BAZAR, P.S. - KALIBAGH, DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MANOJ SHARMA SON OF LATE SATYANARAYAN SHARMA
RESIDENT OF VILLAGE - RAJENDRA NAGAR KALIBAGH, P.S. -
KALIBAGH, DISTRICT - WEST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-09-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 578 of 2022, dated 29.03.2022,
disclosing offences under Sections 406/504/506 of the
Indian Penal Code.
3. The prosecution case, as per the complaint case lodged by
the proprietor of A to Z Furniture House, is that on
05.03.2020, the petitioner arrived at the complainant's
shop and on her poor financial condition informant gave a
sum of Rs. 1,25,000/- to her for personal usage. When the
complainant repeatedly demanded the money back, the



same was not returned by the petitioner. The complainant gave legal notice on 17.02.2022 to the petitioner to which she did not respond.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He next submits that even if allegation made in the complaint is taken true at the face value, it does not give rise to criminal offence inasmuch as the case of the complainant is that the money was given as loan to the petitioner. He further submits that the commercial dispute regarding money transaction has been given colour of criminal case by lodging a complaint by the complainant. The petitioner is a lady and is being harassed by the complainant.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is a lady, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of her arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/-
(Ten Thousand) each with two sureties of the like amount
each to the satisfaction of learned Chief Judicial
Magistrate, Bettiah, West Champaran, in connection with
Complaint Case No. 578 of 2022, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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