

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61920 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- JAHANABAD District- Jehanabad

Reena Devi W/o Guard Tiwari R/o Village- Rasulpur, P.S.- Lalganj, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Raju Kumar, Adv. Ms. Diksha Kumari, Adv.
For the Opposite Party/s :		Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-09-2024 Heard Mr. N.K. Agrawal, learned Senior Advocate

for the petitioner and learned Additional Public Prosecutor for

the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Jehanabad P.S. Case No. 212 of 2023
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. Based upon the written report, the prosecution
alleges that while the informant was going to his house after
withdrawing Rs. 5 lacs from the S.B.I., Branch, Jehanabad, in
the meanwhile, two miscreants came on a motorcycle
intercepted him and looted away his money.

4. Learned Senior Advocate for the petitioner



contended that admittedly the FIR has been instituted against two unknown miscreants, however, during the course of investigation, on the confessional statement of co-accused person, the name of the petitioner has surfaced and it is alleged that a cash of Rs. 9,500/- has been recovered from the possession of the petitioner. Neither the petitioner has been put on T.I. parade nor the money which is said to have been recovered from the house of the petitioner. During the course of investigation, it has not come that the amount which is said to have been recovered is the subject matter of the crime. Drawing the attention of this Court to para-11 of the bail application, learned Senior Advocate further submitted that the false implication of the petitioner in the present crime is writ large for simple reason that way back in the year 2017, the petitioner had filed one Complaint Case No. 2400 of 2017 against the police personnel and only with a view to harass and humiliate, the name of the petitioner has been implicated in this case. Certain instances have also been shown that earlier the name of the petitioner has been implicated in identical fashion, the particulars of which have been mentioned in para-3 of the bail application. Be that as it may, the petitioner is a lady and she has been incarcerated since 20.05.2024.



5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the petitioner appears to be a habitual offender and indulged in concealment of looted articles.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the crime in question is triable by the Magistrate and during the course of investigation, it has not come that the alleged recovered cash amount is the subject matter of the crime, moreover, the investigation of the crime is complete and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Jehanabad P.S. Case No. 212 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or



intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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