

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65162 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- KHARIK District- Bhagalpur

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1. Priti Devi Wife of Neeraj Kumar Resident of Village - Bagri, P.S.- Kharik, District - Bhagalpur.
 2. Neeraj Kumar Son of Deo Narayan Yadav @ Devo Yadav Resident of Village - Bagri, P.S.- Kharik, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Himanshu Kumar Son of Ashok Kr. Jha R/o Sri Nayak Hotel Chowk, Purnea, of 538/654, Ahibaspur, Triveni Nagar, P.S.- Aliganj, District - Lucknow (U.P.) at present TATA motors Finance Ltd. Sri Nayak Hotel Chowk, Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-10-2024 The pre-arrest bail application with regard to petitioner No. 2 has already been dismissed as withdrawn *vide* Order No. 2 dated 18.09.2024.

2. Heard learned counsel for the petitioner and the State.

3. Petitioner No. 1 apprehends arrest in case registered for the offences punishable under Sections 379, 406, 420, 418/34 of the Indian Penal Code.

4. As per prosecution case, this petitioner along with other accused person purchased Tata LPT 4223 Truck after getting loan from Tata Motors Finance Ltd. After paying some



installments, this petitioner stopped paying the same and it is alleged that Rs. 40,83,321/- is still left to be paid. Further allegation is that petitioner was selling parts of truck near Reliance Petrol Pump NH-31.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely because she is wife of co-accused Neeraj Kumar and they have already paid the due amount of Rs. 11 lacs to 12 lacs to the company. The vehicle in question was purchased on the basis of EMI for commercial purpose and due to Corona Pandemic, monthly installments could not be paid. Petitioner claims clean antecedent.

6. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner is named in the F.I.R. and there is specific allegation that she failed to pay the EMI and was trying to sell parts of the truck.

7. Considering the nature of accusation, prayer for anticipatory bail of the petitioner No. 1, namely, Priti Devi is refused.

(Prabhat Kumar Singh, J)

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