

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68411 of 2024

Arising Out of PS. Case No.-856 Year-2023 Thana- KOTWALI District- Patna

Bibi Rubena Begam Wife of Md. Amanullah Dinbandhi Resident of Near
Madarsa, Ward No. 11, P.S.- Derbandhe, District- Supaul, Bihar, Pin-854339

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman, Advocate

For the Opposite Party/s : Mr. Upendra Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406, 420 and 120 (B) of
the Indian Penal Code .

3 . As per the prosecution case , informant had
deposited Rs. 31,20,000/- in the accounts of *Amanullah* and
Tarakki Pharmacy, and the rest of the amount was paid to his
wife and father, but they did not share the profit of the business
with the informant. It is further alleged that when informant
demanded his invested amount, then co-accused Md. Amanullah
gave five federal bank account cheques, which on presentation
could not be encashed due to lapse of time .

4. Learned counsel for the petitioner submits that



petitioner has falsely been made accused in this case merely because he happens to be the wife of co-accused Md. *Amanullah*. It is co-accused Md. *Amanullah*, who is the director of the aforementioned company in question. The entire money transaction took place between the informant and Md. *Amanullah*. So far as this petitioner is concerned, she has neither any concern with the company of Md. *Amanullah* nor he has knowledge regarding the transaction of alleged money. Petitioner has not received a single penny from anyone . It is further submitted that the informant has also filed one criminal complaint case (P) bearing No. 9365 of 2023 against the same accused persons of Kotwali (Patna) Police Station Case No. 856 of 2023 prior to this case in the same court of learned CJM Patna . Similarly situated co-accused persons have already granted bail by this Court vide order dated 12.08.2024 in Cr. Misc. No. 36581 of 2024 . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the fact similarly situated co-accused person with similar allegation has already been granted bail by this Hon'ble Court, clean antecedent of petitioner and other circumstances of the case, in the event of arrest or surrender



within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Patna in connection with Kotwali (Patna) P.S. case No. 856 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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