

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77159 of 2024**

Arising Out of PS. Case No.-798 Year-2019 Thana- PATNA COMPLAINT CASE District-  
Patna

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Anita Sinha W/o- Shashi Mohan Prasad Sinha Moh- Nalband Toli Ps-  
Alamganj Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepak Kumar Son of Chandra Deo Sharma R/o Mohalla- New Dhelwan  
Bypass Road Po- Dhelwan Ps- Ramkrishan Nagar Dist- patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rudra Deo, Advocate  
For the Opposite Party/s : Mr.Rajendra Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      16-04-2025                      Heard Mr.Rudra Deo, learned counsel for the  
  
petitioner and Mr.Rajendra Singh, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending her arrest in  
connection with Complaint Case No.798 of 2019 in which  
cognizance has been taken under Sections 406,420,506 of IPC  
and Section 138 of the N.I.Act.

3. The prosecution case, in short, is that the  
complainant alleges that he had friendship with Ranjan Kumar  
Sinha since before, further when Rajan Kumar Sinha asked for a  
loan of Rs.17,50,000/- and assured to return the same within six  
months, the complainant gave him the money in the year 2017



but the money was not returned, it is next alleged that on 12.07.2018, a bond was executed, in which Rajan had promised to pay the entire amount in three years to which the petitioner and other accused had also signed, it is next alleged that on 03.10.2018 Rajan Kumar gave a cheque of Rs. 1 lakh of HDFC Bank to the complainant, but the said cheque bounced on account of insufficient fund in the account, it is next alleged that complainant thereafter went to the house of the accused persons where he was verbally abused and thrown out by all the accused and was threatened that he would be killed if he again comes asking for money.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case merely on the ground that the petitioner is relative of co-accused person, namely, Rajan Kumar Sinha and from a bare perusal of the complaint petition it appears that co-accused person, namely, Rajan Kumar Sinha has taken a loan from the complainant in the year 2017 and both the parties have executed an agreement deed and the petitioner is a witness of the said agreement deed and apart from that, co-accused person, namely, Vijay Kumar Sinha, who happens to be the relative of co-accused person, namely, Rajan Kumar Sinha



and he is also witness of the said agreement deed, has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 11.10.2022 passed in Cr. Misc. No. 5083 of 2022 and the case of the petitioner is on similar footing.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, he has not received any amount from the complainant, he is only the witness of the agreement deed in question and co-accused person, namely, Vijay Kumar Sinha has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XXIII, Patna in connection with Complaint Case No.798 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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