

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83834 of 2024

Arising Out of PS. Case No.-126 Year-2019 Thana- KAMTAUL District- Darbhanga

Devawati Devi Wife of Ram Prasad Ray Resident of Village- Ward No. 10
Dumra, Paktola Aurai, Police Station -Dumra District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Ahsanuddin S/o-Salauddin Vill- Sheikhpura, Daugarbara PS- Keoati
Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nilendu Kumar Choudhary, Advocate
For the State	:	Mr.Humayou Ahmad Khan, APP
For the O.P. No.2	:	Mr. Vivek Anand Amritesh, Advocate Mr. Sudhanshu Trivedi, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the O.P. No. 2.

2. The petitioner apprehends arrest in connection with
Kamtaul P.S. Case No. 126 of 2019, lodged on 22.08.2019, for
the offences punishable under Sections 406, 420, and 419 of the
Indian Penal Code.

3. As per the prosecution, the informant was a
customer of the State Bank of India (SBI), and certain sums of
money were fraudulently transferred from his savings bank
account into the accounts of two other individuals. An amount
of ₹20,000/- was transferred into the bank account of the



petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is contended that the petitioner, being an elderly woman aged about 59 years, had no knowledge of the said transaction. Counsel further submits that the petitioner rarely comes outside her home, and upon learning about the filing of the present case, she verified and discovered that the said amount had been credited to her bank account. However, she undertakes to return the sum of ₹20,000/- to the person concerned. It is further submitted that the petitioner has a clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner failed to appear before the Investigating Officer despite having been served a notice under Section 41A of the Code of Criminal Procedure.

6. Learned APP for the State also opposes the prayer for bail.

7. Considering the facts and circumstances of the case, particularly the petitioner's age and her willingness to return the amount allegedly credited to her account, the petitioner is directed to be released on bail, in the event of her



arrest or surrender within a period of six weeks from today, on furnishing a bail bond of ₹30,000/- (Rupees Thirty Thousand only), as provided under Section 2(1)(d) of the Bharatiya Nagrik Suraksha Sanhita, 2023, to the satisfaction of the learned S.D.J.M., Darbhanga, in connection with Kamtaul P.S. Case No. 126 of 2019, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

8. It is made clear that on the date of furnishing the bail bond, the petitioner shall produce a demand draft of ₹20,000/- before the Trial Court, which shall be handed over to learned counsel for O.P. No. 2 for further delivery to O.P. No. 2 in the Court itself.

(Dr. Anshuman, J)

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