

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5397 of 2025

Arising Out of PS. Case No.-1219 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Shagufta Parveen W/O Nisar Khan R/O Vill.- Kolound, P.O-Nnarainpur, P.S-
Adalhat, Dist.- Mirzapur, (U.P)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arjun Paswan S/O Ramjee Paswan R/O Vill.- Sonbarsa , P.O- Khajura, P.S-
Belaw, Dist.- Kaimur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-02-2025 Heard the parties.

2. The petitioner is named in the complaint petition and apprehending his arrest in connection with Complaint Case No. 1219 of 2022 registered for the offences punishable under Sections 120(B). 409, 406, 420/34 of the Indian Penal Code and Section 138 of NI Act.

3. The allegation against petitioner is to cheat complainant being one of the Managing Director (MD) of the company, as cheque of rupees two lakh issued by the husband of the petitioner on presentation was dishonored and was not materialized in terms of agreement of



investment dated 02.10.2019 as executed between the husband of the petitioner and complainant Arjun Paswan.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the investment was made in a private limited company namely, S & A Rock Hill City, Ramnagar, where petitioner along with her husband are the directors. It is submitted that the company was not arrayed as an accused through complaint petition, where agreement dated 02.10.2019, appears executed by the husband of the petitioner with complainant namely, Arjun Paswan. It is submitted that even the Cheque of rupees two lakh as drawn on Axis Bank bearing no. 024350 dated 29.08.2022, which was dishonored on presentation by complainant was issued under signature of the husband of the petitioner. While concluding argument, it is submitted that petitioner is a lady of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as the accused company not appears arrayed as an accused through



complaint petition where agreement *qua* investment and also the cheque which was dishonored on presentation was signed by the husband of the petitioner, where petitioner is a lady of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-7, Bhabhua at Kaimur/concerned Court, where the case is pending in connection with Complaint Case No. 1219 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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