IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67758 of 2026

CNR No. BRHC010957592026

Arising Out of PS. Case No.-430 Year-2026 Thana- KOTWALI District- Patna

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Ritu Kumari @ Ritu Singh Wife of Ashutosh Kumar @ Ashutosh Kumar Singh Resident of House No. 56, Kathalpur Road, Behind Chandel Niewas, West Lohanipur, P.S.- Kadam Kuan, District- Patna

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Santosh Kumar Singh, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

4 04-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Kotwali P.S. Case No. 430 of 2026 registered for the offences under Sections 318(4), 316(2), 338, 336(3) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First Information Report and is in custody since 21.06.2026.

4. Allegation against the petitioner is to cheat the informant to the tune of Rs. 18 Lakhs on the pretext of investment against the higher return.

5. It is submitted by learned counsel appearing on

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behalf of the petitioner that convincing with the plan, the informant invested Rs. 18 Lakhs with the husband of the petitioner, which is apparent from the bank transaction, which is the part of F.I.R. itself. It is submitted that no money was received by this petitioner and she was implicated with the present crime in question only for the reason that she is the wife of the main co-accused namely, Ashutosh Kumar Singh, who is also in judicial custody.

6. It is submitted that implication of this petitioner is also due to suspicion as on one or two occasions, she accompanied her husband while presenting the prospect of investment to the informant and others. It is pointed out that for said very reason, even the allegation of conspiracy is not *prima facie* convincing against this petitioner.

7. Arguing further, it is submitted that initially the desired return was given to the informant against his investment with petitioner, but due to market position when return was not made, as desired, this false case was lodged. It is submitted that when the husband of the petitioner pressurized to return invested amount, he draws three different cheques bearing nos. 730607 for Rs. 3,00,000/-; 949176 for

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Rs. 11,00,000/- and 730610 for Rs. 4,00,000/- i.e. total of Rs. 18,00,000/- in favour of informant drawn at Punjab National Bank and handover to him.

8. Explaining criminal antecedent of the petitioner, it is submitted that petitioner found involved in one more criminal case, in which she is on bail.

9. While concluding argument, it is submitted that investigation of this case has already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

10. Learned A.P.P. for the State is present.

11. Mr. S.K. Lal, learned senior counsel appearing on behalf of the informant, while opposing the prayer of bail of the petitioner, submitted that this petitioner being wife was actively involved in the entire fraud as to convince the informant to invest Rs. 18 Lakhs with her husband, who is also in judicial custody, however, he could not disputed the aforesaid factual submission that the amount in issue was paid to the husband of the petitioner through bank transaction and also the issuance of three cheques by husband of petitioner in favour of the informant, as discussed aforesaid.

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12. In view of aforesaid factual submission and by taking note of the fact as the thrust of allegation *prima facie* appears available against the husband of the petitioner, who received money, as invested by the informant, coupled with the fact that investigation of this case has already concluded, where petitioner, being a lady, remains in custody since, 21.06.2026, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna/concerned court, in connection with Kotwali P.S. Case No. 430 of 2026, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

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