

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

A.B.A. No. 886/2026

**Ref:- Arising out of Lakho P.S. Case No. 128/2024
U/S-316(2) & (5), 318(2),319(2),61(2) of B.N.S.**

Dt: 14.09.2024

In the matter of :-

**Nutan Devi, W/o Chandrabhushan Mandal @ Bhola Bhagat, At present R/o vill.
Japteli, Jagatpur, P.S. Sahu Parbatta, Distt. Bhagalpur**

.....Petitioner

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :- Sri K.M. Sahay, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Ld. Counsel for the informant :- Sri Lalan Kumar, Adv.

Date of order:-04.06.2026

ORDER

An anticipatory bail petition has been filed on behalf of above named accused/petitioner who is apprehending his arrest in connection with above mentioned case for committing of the offences punishable u/s-316(2) & (5), 318(2),319(2),61(2) of B.N.S. and the same has been put up for hearing.

Heard Learned Counsel Sri K.M. Sahay, appearing on behalf of accused/petitioner and Learned P.P. I/C for the State alongwith Ld. Counsel Sri Lalan Kumar, appearing on behalf of informant.

The prosecution case, in brief, as per the informant is that on 12.03.2022 Chandrabhushan Mandal & his wife Nutan Devi assured his father that he will manage to give the LPG Gas Agency of IOCL in favour of the informant because he has somany visiting terms with higher officials of IOCL. On this, the informant gave his document through Whatsapp. Further, he demanded rupees from the informant's father. on this informant gave Rs. four lakhs to the account of Chandrabhushan Mandal. on 29.03.2022 he got message of IOCL that his name for LPG Gas Agency Distribution was registered. Again, he demanded Rs. one lakh, and on this he gave Rs. 1,00,000/- to the accused. Again he demanded Rs. 3 lakhs from him. on this, informant gave Rs. 2,50,000/- to the accused. Total eighteen lakhs rupees were taken by the accused for giving the agency of LPG of IOCL.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that earlier no anticipatory bail application has been filed on behalf of the above named petitioner either before this learned court or Hon'ble High Court, Patna. It is further submitted that the petitioner is quite innocent, has committed no offence, and has been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner. No case u/s 316(2) & (5), 318(2),319(2) of B.N.S. is made out against the petitioner. The informant did not give money to the present petitioner and petitioner is woman. Lastly it is submitted that the petitioner has no criminal antecedent. Therefore, he may be released on bail.

Per contra, the P.P I/C appearing on behalf of State along with Ld. Counsel Sri Lalan Kumar, appearing on behalf of informant, vehemently opposed the prayer for bail.

Heard the learned counsel for the petitioner, the learned APP for the State, and the learned counsel appearing on behalf of the informant. Perused the photocopy of the case diary and the materials available on record. As per the allegations made in the

F.I.R., the petitioner, along with other co-accused persons, is alleged to have induced the informant to part with a sum of Rs. 18,00,000/- on the pretext of securing an LPG Gas Agency of IOCL. On a plain reading of the F.I.R., it appears that no specific overt act has been attributed to the present petitioner. Further, upon perusal of the case diary, it transpires that the informant has not alleged payment of any amount either to the petitioner personally or into her bank account. During the course of arguments, the learned counsel for the informant fairly submitted that the alleged amount was transferred to the bank account of the petitioner's husband and not to the account of the petitioner. It further appears that the petitioner has no criminal antecedent, as stated in paragraph 3 of the bail petition, and there is nothing on record to suggest her involvement in any other criminal case.

Considering the aforesaid facts and circumstances, particularly the absence of any specific allegation against the petitioner, the fact that no part of the alleged defrauded amount was transferred to her account, her clean antecedents, and also taking into consideration that the petitioner is a woman, this Court is inclined to extend the privilege of anticipatory bail to her. Accordingly, in the event of her arrest or surrender before the learned Court below within one month from the date of this order, the petitioner shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Lakho P.S. Case No. 128 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S, and further subject to the following conditions:-

- (i) That the petitioner shall cooperate with the investigation/trial and shall make herself available as and when required by the Investigating Officer or the Court.
- (ii) That the petitioner shall not directly or indirectly induce, threaten, or promise any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or the Investigating Agency.
- (iii) That the petitioner shall not tamper with the prosecution evidence in any manner.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	04.06.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	05.06.2026
Uploaded by	Rahul Verma