

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19478 of 2015

Arising out of PS.Case No. -6 Year- 2011 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Mosmat Ramdai Devi, wife of late Ram Keshari Yadav, resident of Patori
P.S. Singheshwar District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. Manju Kumari Kum Kum, wife of Shiv Nandan Prasad Yadav, Block
Development Officer, Singheshwar, District Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. N.K.Agarwal, Sr. Advocate and Mr.
Naresh Kumar Mehta, Advocate.

For the State : Mr. Pradeep Narayan Kr.(App)

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 08-05-2015 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The present application under Section 482 of the Code of
Criminal Procedure has been filed for quashing the order dated
22.03.2015, passed in Singheshwar P.S. Case No. 06 of 2011, by
the learned Chief Judicial Magistrate, Madhepura, whereby the
petition dated 24.02.2015 filed by the petitioner under Section 205
of the Code of Criminal Procedure for dispensing with her
personal attendance has been dismissed.

It has been contended that the petitioner is a lady and it
would be extremely difficult for her to attend the court proceeding
on day-to-day basis and hence the court below ought to have

allowed the application filed under Section 205 of the Code of Criminal Procedure.

I have perused the impugned order. It would appear from the First Information Report that during the relevant time the petitioner was functioning as Mukhiya. There is allegation of embezzlement of government money. The police case was instituted for the offences punishable under Sections 420, 384, 386, 353 and 506 read with Section 34 of the Indian Penal Code on 19.01.2011. Till date the petitioner has not appeared before the court. Her application for anticipatory bail has already been rejected by the learned Sessions Judge as well as by this Court. In course of investigation, she was declared proclaimed offender under Section 82 of the Code of Criminal Procedure.

Regard being had to the gravity of the offence and the conduct of the petitioner the court below has rejected the application filed under Section 205 of the Code of Criminal Procedure.

I find no illegality in the impugned order. Accordingly, the application is dismissed.

U.K./-

(Ashwani Kumar Singh, J)

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