

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28768 of 2014

Arising Out of PS.Case No. -120 Year- 2011 Thana -SAKRA District- MUZAFFARPUR

=====

1. Lalita Devi wife of Late Kamlesh Bhagat resident of village Baji Bujurg,
P.S. Sakara, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Rina Sinha(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 19-01-2015 Heard the parties.

This is an application for anticipatory bail for the
offence punishable under sections 406, 420, 467, 468, 471 and 120
(B) of the I.P.C.

Allegedly, the petitioner being Mukhiya of Gram
Panchayat under a criminal conspiracy with the Panchayat
Shachiv defalcated Rs. 8,50,000/- by forging fake receipts and got
installed solar lights of sub-standard quality. Further allegation is
that he withdrew Rs. 1,23,000/- which was for distribution among
the widow and handicapped person and on the basis of forged
document amount of Rs. 11,91,000/- was shown to be distributed
and in the name of deceased person amount of Rs. 4,00,000/- was
also withdrawn.

Submission is that earlier also the informant has filed a complaint case which was later on withdrawn and that was dismissed vide Annexures- 3 and 3/1. The petitioner also lodged a complaint case against the informant of this case vide Annexure-2. The Panchayat Secretary has also lodged a case against the informant. No public at large has come forward to say anything. No official has lodged any complaint. There is no enquiry and only on the basis of statement of the informant the petitioner is apprehending her arrest. The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that there is no enquiry by the Government Official and as such the petitioner, in case of her arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Muzaffarpur in Sakra P.S. Case No. 120 of 2011, subject to the conditions as laid down in section 438 (2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--