

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34443 of 2015

Arising Out of PS.Case No. -29 Year- 2014 Thana -PALASI District- ARRARIA

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1. Smt. Rambati Devi @ Rambabati wife of Bande Lal Rideo, Resident of village- Balgachhi, P.S.- Palasi, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-08-2015 Heard learned counsels for the petitioner and the State.

Petitioner being the Mukhia is apprehending her arrest in a case registered for the offences punishable under Sections 406, 409, 420, 467, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that petitioner being Mukhia along with Panchayat Secretary and convenor of Dharamganj Panchayat withdrew Rs. 20,92,500/- sanctioned under BRGF scheme but during inspection of the Block Officer, Palasi the work under the scheme was found not done.

It is submitted by learned counsel for the petitioner that petitioner was Mukhia during the period 2006-2011 and the major work was done in the years 2010-11. Moreover the responsibility of getting the work executed was of Mukhiya Rukmani Devi who

has been granted bail vide Cr. Misc. No. 5503 of 2015 on the undertaking to deposit the entire defalcated amount of the scheme.

Learned counsel for the petitioner submits that she is ready to deposit rupees one lacs before learned court below which will be invested in some fixed deposit scheme in connection with the present case and the same will be subject to result of the case .

Considering the fact that co-accused has been granted bail and the present stand of the petitioner let him, in the event of her arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Palasi P.S. Case No. 29 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C on condition that the petitioner shall deposit Rs. 2.20 lac within three months in equal installments, if the petitioner would not deposit the entire amount within three months her bail bonds shall be cancelled by the learned court below.

(Dinesh Kumar Singh, J)

Prakash/-

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