

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33430 of 2015

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Smt. Neelu Paul @ Neelu Kaul @ Noolu Paul, wife of Mohan Paul
..... Petitioner/s

Versus

The State of Bihar through Vigilance

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the then BDO of Marwan Block is apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 477A, 120B of the of the Indian Penal Code and 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act.

On the complaint of one Mahesh Yadav, an enquiry was conducted by the Vigilance with regard to allotment of Indira Awas, during the period 2006-2011, wherein it was found that several persons were given allotment twice, namely, Meena Devi and Gaugiya Devi. All these allotments were approved by the Panchayat Mukhiya and the Panchayat Secretary. In the similar manner, Asha Devi and Pappi Devi also got the allotment twice by changing their names and, thereby, the petitioner

misappropriated the amount under Indira Awas scheme.

It is submitted by learned counsel for the petitioner that the enquiry was made for the irregularities committed in allotment of Indira Awas between 2006-11, but the petitioner was posted in the Marwan block as BDO from 30.07.2011 to 22.07.2013 and during the said period only two persons were given the benefit of Indira Awas twice but the said sanctions were made on the recommendation of Panchayat Mukhiya and Panchayat Secretary. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned Sr. Counsel for the informant that during the tenure of the petitioner illegal allotments were also made and the FIR has been lodged against the 'panchayat' representatives also.

Considering the fact that the allotments were made during the period 2007-10 though on the recommendation of 'Panchayat' representatives and the FIR has been registered in 2014, moreover, the petitioner being a lady, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the

satisfaction of the Special Judge, Vigilance (North Bihar),
Muzaffarpur in connection with Special Case No.76 of 2014,
arising out of Vigilance P.S. Case No.95 of 2014, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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