

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42807 of 2015

Arising Out of PS.Case No. -197 Year- 2012 Thana -BANIAPUR District- SARAN

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Champa Devi Wife of Kanhaiya Mahto a resident of Village - Dhawari, P.S.
- Shahajidpur, (Baniyapur), District - Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 18-12-2015 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

The petitioner prays for anticipatory bail in a case under
Sections 406, 409 and 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the FIR
was instituted against the petitioner only on account of the fact
that voucher and advice copy were not available with respect to
one of the Schemes, MNERGA but subsequently by the letter
dated 5.9.2012 the Officer on Special Duty from Saran
Collectorate had written to the Block Development Officer,
Baniyapur that after considering the allegation against the
petitioner in the light of the representations submitted by the
petitioner it was found that the criminal offence was not proved
against the petitioner.

It is further submitted that a same conclusion has been

drawn by the Investigating Officer as also the Dy.S.P. but a different stand has been taken by the Superintendent of Police. It is also submitted that the petitioner is a lady and Mukhiya of the Gram Panchayat in question and she has clean antecedent.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner Champa Devi, in the event of her arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Baniyapur P.S.Case No. 197/12 to the satisfaction of Shri D.K.Tiwari, Judicial Magistrate, 1st Class, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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