

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49476 of 2015

Arising Out of PS.Case No. -1 Year- 2014 Thana -KURTHA District- JEHANABAD

Sunita Devi, W/o Mahavir Das, Resident of Village- Harpurn P.S.- Kurtha
Dist -Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rashmi Kumari Mandilwar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar,, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 03-11-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Kurtha P.S. Case No. 1 of 2014 registered under Sections
420, 409 and 120-B of the Indian Penal Code.

In the FIR, it is alleged that one Krishna Das, Vikash
Mitra of village Harpur, the petitioner, a ward member of ward
no. 4 and the Panchayat Sewak Umesh Kumar Yadav under a
conspiracy withdrew first and second installment of Indira Awas
on 21.02.2012 and 22.02.2013 respectively from Punjab
National Bank in the name of one Kavita Devi.

It is contended that the petitioner is an illiterate lady and her thumb impression was obtained by co-accused Krishna Das without disclosing the fact that the paper is to be used for withdrawing amount under the Indira Awas Scheme.

On the other hand, learned counsel for the State has opposed the prayer made on behalf of the petitioner for grant of anticipatory bail. He has contended that it was the petitioner who personated one Kavita Devi and withdrew the amount.

Regard being had to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the application is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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