

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16983 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -NAUHATTA District- SAHARSA

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Kanchan Devi, W/o Sri Vidyanand Jha, Resident of village- Mahishi, P.S.-
Mahishi, District- Saharsa, working as Panchayat Sachiv under Block
Nauhatta, District- Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. D.P.Tiwary (APP)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 26-05-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 406, 409 and 420 of the
Indian Penal Code.

As per the allegation, the petitioner has received
Rs.4,07,500/- as advance for construction of PCC road with
respect to BRGF Scheme No.6/2013-14 but no work has been
done by her.

It is contended on behalf of the petitioner that she is
ready to deposit Rs.4,07,500/- taken as advance against the
aforesaid work within the period of six months.

Having regard to the facts and circumstances of the
case and also the fact that the petitioner is lady, let her be released

on provisional anticipatory bail in the event of her arrest/surrender before the court below within a period of six weeks from today in connection with Nauhatta P.S. Case No.167/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sri A. Kumar, Judicial Magistrate 1st Class, Saharsa subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

With further condition that she would deposit the aforesaid amount either in installments or as a lump sum within a period of six months in the form of demand draft in favour of Block Development Officer, Nauhatta. The aforesaid action having been taken on behalf of the petitioner, the court below would make the provisional bail absolute.

The State Authority would be at liberty to withdraw the aforesaid amount, however, the same would be subject to final result of the concerned criminal case.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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