

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38859 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -BAARSOI (R.T) District- KATIHAR

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Reeta Mandal wife of Late-Sushil Mandal, resident of Mohallah- Hariganj,
P.S- Katihat, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 08-03-2016

Heard the counsel for the petitioner and Mr. M. Dayal,

APP for the State.

The petitioner herein seeks anticipatory bail in Barsoi

P.S. Case No. 85 of 2015 registered under Sections 420, 409,

467, 468, 471 and 120(B) of the Indian Penal Code.

Assistant Engineer, Public Health Department lodged

the FIR alleging that District Water Swakshta Samiti, undertook

construction of toilets through Jan Kalyan Samiti, Ram
Krishnanagar, Dhelwa. Co-accused Manager Ram, the Junior
Engineer of the Department was made the overall incharge.

Later, it was found that 152 toilets were not constructed by the
Jan Kalyan Samiti, although payment therefor was made. The
contention of the petitioner is that except naming her in the
accused column, there is no allegation attributed to her. The
petitioner is the Secretary of “Shiv Sewa Sansthan”. The FIR

does not allege that any work of construction of toilets was executed through “ Shiv Sewa Sansthan. She is a lady and deserves the privilege of anticipatory bail.

Mr. M. Dayal, APP for the State while opposing the prayer, draws the attention of the Court to the impugned order wherefrom it appears, the learned Sessions Judge has noted that materials may come incriminating the petitioner in the investigation. It thus, appear that as on date when the order was passed, there is materials incriminating the petitioner in the alleged crime/offence.

In the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in P.S. Case No. 85 of 2015 on condition that one of the bailors shall be her own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel her bail bonds.

(Kishore Kumar Mandal, J)

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