

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26143 of 2016

Arising Out of PS.Case No. -151 Year- 2010 Thana -PARIHAR District- SITAMARHI

1. Sanju Kumari Wife of Rajiv Kumar @ Raju, R/o village Parihar, P.S-
Parihar, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-08-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner apprehends her arrest in connection with
Parihar P.S.Case No. 151/2010 registered for the offence
punishable under Sections 419, 420, 467, 468, 471, 409/34 of the
Indian Penal Code.

The prosecution case as per the written report of
one Rahima Khatoon before the S.H.O. of Parihar Police Station
is that an account was opened in Uttar Bihar Gramin Bank, Parihar
for the purpose of payment to the Gram Kutchery Sachiv and
Nyay Mitra and the same was operated by Sarpanch and Up
Sarpanch having its Account No. 5799. It is alleged that on
01.11.2010 the Gram Kutchery Sachiv (petitioner) in connivance



with the Branch Manager after putting forge signature of Sarpanch and Up Sarpanch on a cheque withdrew Rs. 12,000/- and when informant came to know about the aforesaid withdrawal, she met with the Branch Manager, who informed her that the amount was withdrawn by Sanju Kumari as such, the aforesaid fact came in knowledge of the informant on 30.11.2010.

It has been submitted by the learned counsel for the petitioner that the petitioner is the Gram Kutchery Sachiv and appointed in the year, 2008 itself. Although, after institution of the present case, she was removed from the post of Gram Kutchery Sachiv but subsequently she was reinstated on her post within 10 days of her removal.

It is submitted that the signature of the petitioner was taken in the year, 2013 and the account in the bank was opened long time back, hence, signature could differ with the passage of time which could have been verified after taking fresh signature of the Sarpanch and Up Sarpanch. It has been submitted that the amount of Rs. 12,000/- withdrawn was the monthly honorarium of the petitioner and the allegation is false.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the investigation is going on and the petitioner being a Gram Kutchery Sachiv undertakes that she will not abscond and tamper with the evidence and co-operate with the investigation, let the petitioner, named above, in the event of her arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Parihar P.S.Case No. 151 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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