

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47680 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -HISUA District- NAWADA

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Babli Devi, wife of Bigan Singh, r/o- village Bhadseni, P.S.- Hisua,
District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 08-11-2016

Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

With reference to the embezzlement said to have been made by the petitioner in connection with schemes allotted to and executed by the petitioner along with the Headmaster of the school, the F.I.R. has been lodged under Sections 406 and 420 of the Indian Penal Code vide Hisua P.S. Case No 30 of 2016.

Counsel for the petitioner, referring to the communication dated 08.02.2016 (part of F.I.R.) submits that the allegation is of not making construction as per the specification. A fresh DPR was to be prepared at the escalated cost/estimate and the difference in the cost has been directed to be realized from the accuseds. It is further submitted that for securing the privilege of anticipatory bail, the petitioner is ready and willing to deposit a

sum of Rs. 25,000/- with the office of the District Programme Officer, Nawada which, however, shall be made subject to result of the case.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in Hisua P.S. Case No. 30 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure her arrest in accordance with law.

(iii) Along with the bail bond, the petitioner must produce receipt/document showing deposit of a sum of Rs. 25,000/- in the

office of the District Programme Officer, Nawada or in appropriate head of Treasury. The payment so made by the petitioner shall be without prejudice to his right and contention in the case and subject to the result of the case.

(Kishore Kumar Mandal, J)

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