

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17959 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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Muniba Khatoon @ Moniba Khatoon wife of Asgar Ali resident of Village -
Ramna Sangram Pur, Sangram Pur, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-05-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Sangrampur P.S. Case No. 92/15 for offences alleged under
Sections 420, 467, 468, 471, 406 of the Indian Penal Code.

The prosecution case has been lodged by way of
written report of the Block Development Officer, Sangrampur,
who stated that the petitioner under the wrong declaration and
certificate showing her husband's name as Akhtar Ali received Rs.
20,000/- as benefit of Indira Awas Yojna as BPL quota, although,
her name is in the waiting list of the same scheme in BPL quota.

It has been submitted by the learned counsel for
the petitioner that she is innocent, has not committed any offence
and the amount of Rs. 20,000/- given under Indira Awas Yojna

was accepted by her being a rustic lady. It has further been submitted that as soon as she was asked to refund the said amount she has deposited the same in the Uttar Bihar Gramin Bank, Sangrampur. He further submits that the petitioner has no criminal antecedent, as is evident from paragraph 3 of this application.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, does not deserve the privilege of bail.

Be that as it may, since the petitioner has already deposited the aforesaid amount, let petitioner, above named, in the event of her arrest or surrender before the court below within a period of eight weeks from today, be released on 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, East Champaran at Motihari, in connection with Sangrampur P.S. Case No. 92/15, subject to the conditions as laid down under Section 438(2) Cr.P.C. as also upon satisfaction of the learned court below of the deposit, refund of Rs. 20,000/- mistakenly given to the petitioner under Indira Awas Yojna.

(Nilu Agrawal, J.)

Rajesh/-

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