

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38593 of 2016

Arising Out of PS.Case No. -112 Year- 2016 Thana -AKBARPUR District- NAWADA

Smt. Bima Devi @ Bima Devi, Wife of Suresh Prasad, Resident of Village-
Malikpur Nemdarganj, P.S. Akabarpur. District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences
alleged under Sections 467, 468, 419 and 420 of the Indian Penal
Code registered in connection with Akbarpur P.S. Case No. 112 of
2016.

3. It is submitted that the petitioner being the Mukhiya of
Gram Panchayat Malikpur Nemdarganj has been falsely implicated
on mere suspicion as evident from the letter of the District
Magistrate to the effect that the petitioner had failed to respond to
the show cause notice which indicated guilt. It is stated however,
that no such show cause was ever received by the petitioner.
Moreover, the enquiry report itself discloses that part of the 'pyne'
was filled up by the owner of the field and it is therefore,
submitted that the measurement of the work done itself became
unverifiable. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and
circumstances, in the event of the petitioner's arrest or surrender
before the court below within six weeks from the date of

communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Akbarpur P.S. Case No. 112 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner will be well represented in Court on each and every date and if she fails to do so on two consecutive dates without sufficient reason, her bail bond will be liable to be cancelled by the Court concerned.

(Vikash Jain, J)

Chandran/BT

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