

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6983 of 2016

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1. Smt. Rambati Devi @ Rambati Wife of Bande Lal Risideo, Resident of
Village - Balgachhi, P.S. - Palasi, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2016

The present application has been filed for modification of the order dated 17.08.2015 passed in Cr. Misc. No. 34443 of 2015 for extending the time for period of surrender and deposit of the undertaken amount of Rs. 1,00,000/-.

The prosecution case is that the petitioner being panchayat Mukhiya along with panchayat Secretary and the convener of Dharamganj panchayat withdrew Rs. 20,92,500/- sanctioned under BRGF scheme but during inspection of the Block Development Officer, Palasi the work under the scheme was not found done.

It is submitted by learned counsel for the petitioner that petitioner was Mukhiya during the period 2006-11 and the major work was done in the years 2010-11. Moreover the responsibility of getting the work executed was of Mukhiya Rukmani Devi who was granted bail vide Cr. Misc. No. 5503 of 2015 on the undertaking to deposit the entire

defalcated amount of the scheme.

However, on submission of the counsel for the petitioner that petitioner would deposit Rs. 1,00,000/- before learned Court below which was directed to be invested in some fixed deposit scheme in connection with the present case, which was subject to the result of the case, the petitioner was granted anticipatory bail. But, it appears that neither money was deposited nor petitioner surrendered and furnished bail bonds.

The present application has been filed much after lapse of the period of surrender.

This Court is not inclined to modify the present order. However, considering the fact that petitioner is a lady and co-accused Rukmani Devi has been granted bail on the undertaking of the deposit of the entire amount, the period of surrender and the period to deposit Rs. 1,00,000/- are extended by two weeks from the date of receipt/production of the copy of this order.

It is made clear that no modification application shall be entertained in future.

Accordingly the modification application is disposed of in connection with Palasi P.S. Case No. 29 of 2014, pending in the Court of learned Chef Judicial Magistrate, Araria.

(Dinesh Kumar Singh, J)

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