

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38068 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -NABINAGAR District- AURANGABAD

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1. Pushpa Devi Wife of Om Prakash Gupta Resident of Village- Shivabigha, P.S+P.O Nabinagar, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 03-10-2016

Heard both sides.

The petitioner apprehends her arrest in Nabinagar P.S. case No. 25 of 2016 under Section 420, 406, 409, 34 of the Indian Penal Code.

The petitioner is the Secretary of Community Development Society, registered under the Urban Development Department. There is allegation that on the report of the petitioner that beneficiaries, namely, Sakli Devi, Kulti Devi, Mina Devi and Sabita Devi, constructed their houses within the jurisdiction of Nabinagar Nagar Panchayat and money was given to the beneficiaries but during the enquiry it was found that beneficiaries have constructed their house in Rampur Panchayat which does not fall within the Nabinagar Nagar Panchayat.

It is submitted that petitioner was to report only with regard to construction of the house. The beneficiaries have already been granted anticipatory bail vide order dated 24.08.2016 passed in Cr. Misc. No. 33416 of 2016.

It appears that it was the petitioner who wrongly reported about the construction of the houses by the beneficiaries in the area of Nagar Panchayat, Nabinagar but since the beneficiaries have already been granted anticipatory bail and the petitioner is a lady, the above named petitioner, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Nabinagar P.S. Case No. 25 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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