

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53605 of 2017

Arising Out of PS.Case No. -58 Year- 2009 Thana -VIGILANCE District- PATNA

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1. Indu Sinha, W/o Dharmendra Kumar, resident of Village-Jaimaldumri,
P.S.-Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance, Bihar Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma, L.O., I/c, Vigilance

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 22-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends her arrest in **Special Case No.18 of 2009 arising out of Vigilance P.S. Case No.58 of 2009** instituted for the offence under Section(s) 467, 468, 471, 477(a), 409, 420 Indian Penal Code and Section 13(2) read with Section 13(1)(D) of the Prevention of Corruption Act.

Counsel for the petitioner has submitted that the period during which alleged irregularities have been committed is between 2000-01 and 2006-07. During that period, Babban Kumar Singh was *Mukhiya* and Ramadhar Singh was *Panchayat Sewak* and this petitioner has been elected *Mukhiya* in 2006.

Counsel for the petitioner has further submitted that



after lodging of the First Information Report, vigilance enquiry was done by the Superintendent of Police, Vigilance. Report of the Superintendent of Police, Vigilance, has been annexed with the First Information Report. The Superintendent of Police, Vigilance, in the concluding part of the report has specifically stated that after enquiry allegations are found correct against Sri Ramadhar Singh, *Panchayat Sewak* and Sri Babban Kumar Singh, the then *Mukhiya*. It is mentioned in the report that the petitioner, who is present *Mukhiya*, is daughter-in-law of Babban Kumar Singh, and she has no knowledge of any irregularity. She is the housewife and there is no direct involvement of her in the aforesaid irregularities.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Special Case No.18 of 2009 arising out of Vigilance P.S. Case No.58 of 2009**, she shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Vigilance, North Bihar, Muzaffarpur**, subject to the conditions as laid down under



Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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