

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1918 of 2017**

Arising Out of PS.Case No. -102 Year- 2016 Thana -PARIHAR District- SITAMARHI

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Bibha Kumari, wife of Vijay Kumar Paswan, resident of Village - Bela Khurd, Much Pakauni, P.S. - Bela, District - Sitamarhi.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

3      06-02-2017                      Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Parihar P.S. Case No. 102 of 2016, registered under Sections 406, 409 and 421 of the Indian Penal Code.

The accusation is that Aslam Ajad, son of Md. Ashraf Ali, being the Chairman and this petitioner being the Executive Member of Belamach Pakauni, PACS withdrew Rs.7,47,020/- from Sitamarhi Central Cooperative Bank, Parihar Branch, to purchase the paddy but the same was not purchased and both did not deposit the said amount. Hence, Rs.7,47,020/- with interest Rs.91243/- is due against them.

Learned counsel for the petitioner submits that the, in fact, petitioner, who is the lady, being the Executive Member of PACS only put her signature on the instruction of Chairman, Aslam



Ajad. Moreover, the petitioner undertakes that she will deposit 25% of due amount of Rs.7,47,020/- + interest Rs.91,243/- = Rs. 8,38,263/- within three months.

Having regard to the facts and circumstances of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on provisional bail for three months, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Parihar P.S. Case No. 102 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C. If the petitioner submits the receipt regarding depositing of 25% of Rs. 8,38,263/- in favour of Bihar State Food and Civil Supplies, Corporation Ltd. Patna, the provisional bail of the petitioner shall be confirmed by the court below. If the petitioner fails to submit the receipt of showing the deposit of 25% of Rs. 8,38,263/-, the court below will be at liberty to cancel his bail bond.

Accordingly, the application is disposed of.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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