

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1538 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -RAGHOPUR District- SUPAUL

- =====
1. Parwati Devi, wife of Bhagnarayan Sah,
 2. Most. Shakuntala Debi, wife of Late Nageshwer Sah, are resident of Village- Jahrilipatti, P.S. Raghapur, District – Supaul.
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Nazir Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioners and learned counsel for State.

The petitioners apprehend their arrest in connection with Raghapur P.S. Case No. 208 of 2016, registered for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code.

Allegedly, the petitioners received the amount under Indira Awas Scheme and misappropriated the same being in collusion and conspiracy with middle man and panchayat Secretary.

Submission is of false implication and that the petitioners are ready to deposit the amount of Indira Awas Scheme, they have been made victim of the circumstances and as such they deserve sympathetic consideration.



The learned A.P.P. fairly submits that if they are ready to refund the amount of Indira Awas Scheme then lenient view can be taken.

In the facts and circumstances as stated above, **if the petitioners will refund the amount which were received, within four months in equal installment, till then they are directed to be released on provisional bail** after their surrender on execution of bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Birpur (Supaul), in connection with Raghapur P.S. Case No. 208 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C., and after refund of the full amount, their provisional bail shall be confirmed by the learned Court below itself, failing which the bail bonds of the petitioners shall be cancelled.

(Jitendra Mohan Sharma, J.)

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