

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30602 of 2017**

Arising Out of PS.Case No. -23 Year- 2016 Thana -DEO District- AURANGABAD

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1. Sunita Devi, W/o Basant Singh, resident of village- Pachmo, Police  
Station- Dhibra, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3/ 26-07-2017

Heard learned counsel for the Petitioner and the  
State.

The Petitioner apprehends her arrest in Deo P.S.  
Case No.23 of 2016 instituted for the offence under Section(s)  
406, 420 Indian Penal Code.

Counsel for the petitioner has submitted that the  
petitioner is ready to deposit the amount due with interest in six  
equal installments.

Learned counsel for the petitioner has submitted that  
the petitioner has received total ₹19,16,504.62 from Cop-  
operative Bank, Deo Branch, Aurangabad, in the year 2014-15  
for the purpose of payment to the farmers under the scheme  
Paddy Cash Credit Loan, which was supposed to return till  
30.11.2015.



It has further been submitted that the petitioner could not return the money because of ill health and personal problem. She has intention to return the money and she has already made payment of ₹2,50,000/- on 05.02.2017, ₹90,000/- on 17.07.2017 and ₹1,50,000/- on 18.07.2017.

In such circumstances, this application is disposed off with direction to petitioner to surrender in the Court below i.e. Chief Judicial Magistrate, Aurangabad, in connection with Deo P.S. Case No.23 of 2016 within a period of four weeks with receipt showing payment of first installment of the balance amount and in that event the Court below shall release the petitioner on provisional anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, 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.

The petitioner, thereafter, will make payment of the remaining amount along with interest in five equal monthly installments. After deposit of the entire amount and on producing valid receipts along with No Dues Certificate, the Court below will confirm the provisional bail of the petitioner.

It is made clear that in the event petitioner defaults in making payment of a single installment, the Court below will cancel the provisional bail of the petitioner.

**(Sanjay Priya, J)**

**JA/-**

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