

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40710 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -BHAWANIPUR District- PURNIA

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1. Tajo, W/o Md. Ajim, R/o Village- Kushha, P.S.- Bhawanipur, District
Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends her arrest in **Bhawanipur**
P.S. Case No.105 of 2017 instituted for the offence under
Section(s) 420, 467, 468, 406, 471 Indian Penal Code.

There is allegation in the First Information Report
that in the financial year 2011-12 allotment of rupees forty five
thousand was made to the accused under *Indira Awas Yojna* for
construction of house on the basis of rent receipts produced by
the accused with respect of Khata no.324 and Khesra no.482 area
0.03 decimal. It is alleged in the First Information Report that on
verification of the map it was found that river flow from that
portion and no construction has been made by the accused-
petitioner.



Counsel for the petitioner has submitted that in the year 2011-12 after proper verification of her receipt recommendation was made by the government officials and thereafter she was allotted money under *Indira Awas Yojna*. The Informant, who is a Circle Officer, after lapse of about six years, has filed the instant case making allegation that on verification from map a river was found to be flown from that area.

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 **Bhawanipur P.S. Case No.105 of 2017**, 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 **Sub-Divisional Judicial Magistrate, Purnea**, 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.

JA/-

(Sanjay Priya, J)

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