

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13288 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Smt. Kanti Devi Wife of Ranjit Kumar Resident of Village- Gopinathpur
Dokra, P.S. Saraiya, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Sri Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 12-04-2017 Heard.

The petitioner apprehends her arrest in connection with Saraiya P.S. Case No. 230 of 2016 registered for an offence under Sections, 406,419,420,467,368 and 409 of the IPC.

The case has been registered on the basis of written report submitted by the In-charge Cooperative Extension Officer on the direction of the District Cooperative Officer wherein it is alleged that in course of physical verification made by the Cooperative Officers, gross irregularity was found in procurement of 403 quintals of paddy. However, the said paddy was not found in godown and considering the defalcation on the part of this petitioner who happens to be the Chairman of the concerned PACS, the present case has been registered.



Learned counsel for the petitioner submits that nothing has been misappropriated. The petitioner has deposited the alleged money i.e., Rs. 4,36,000/- in the Central Co-operative Bank Ltd., and the petitioner is a lady having no criminal antecedent.

Considering the enquiry report of District Cooperative Officer who in course of inspection did not find rice in the godown and also the fact that no CMR was received from the rice mill and the petitioner in collusion with other co-accused withdrew amount showing fake purchase from the farmers and defalcated the money with respect to 403 quintal paddy, I do not find it a fit case for grant of anticipatory bail. Hence the prayer is rejected.

However, if the petitioner surrenders before the Court below and pray for regular bail, the same shall be considered on merit without being prejudiced by the order of this Court preferably on the day of surrender itself.

(Sanjay Kumar, J)

Prakash/-

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