

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61956 of 2017

Arising Out of PS. Case No.-154 Year-2017 Thana- RAGHUNATHPUR District- Siwan

Hewanti Devi, W/o Tribhuan Singh, R/o- Panch Deori, P.S.- Ashawn, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. SRI ANIL KUMAR SINGH 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 379 and 411/34 of the IPC and Section 7 of the E.C. Act.

The prosecution case is that petitioner being the contractor for the school mid-day-meal had supplied 14 bags of rice, through her agent Ashwini Jimar Varnwal who received the rice but instead of taking the rice to the Middle School, Kachnar, took it to market, when the pick-up-van was intercepted.

It is submitted by learned counsel for the petitioner that the accusation has been levelled only on the basis of suspicion. There is no accusation that the rice was being sold or it was being misappropriated in any manner. Admittedly, petitioner was not present on vehicle in question and if driver misdirected



vehicle, for that no offence under section 379 and 411/34 of the IPC or Section 7 of the E.C. Act could be made out. It is further submitted that the petitioner was seriously ill at the relevant time. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the aforesaid facts, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Siwan in connection with Raghunathpur P.S. Case No.154 of 2017.

(Dinesh Kumar Singh, J)

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