

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61744 of 2017

Arising Out of PS.Case No. -19 Year- 2014 Thana -VIGILANCE District- PATNA

=====

Phulmati Devi wife of Bunilal Paswan (Ex Mukhiya, Bhatwalia Panchayat), resident of Village Bhatwalia, Tole Narulaha, P.O. Bhatwalia, P.S. Sangrampur, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar (through Cabinet Vigilance)

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mahesh Nr. Parbat, Sr. Adv.
Mr. Ved Prakash Srivastva

For the Opposite Party/s : Mr. Amresh Kumar AC to
(L.O.,Inc.,Vigilance)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 05-02-2018 Heard the learned counsel for the petitioner and the learned counsel for the Vigilance.

The petitioner seeks anticipatory bail in connection with Vigilance PS case no. 19 of 2014 (Special Case No. 31 of 2014) registered for the offences punishable under Sections 409, 420, 467, 468, 471, 472 and 120(B) of the Indian Penal Code and Section 12(1)(d) of Prevention of Corruption Act, 1988.

The case of the prosecution is that upon a complaint received, the matter was investigated by the Vigilance Investigation Bureau and it was found that the concerned Mukhiya, namely, Phulmati Devi i.e. the petitioner herein, Panchayat Sachiv and the Block Development Officer had defalcated huge amounts pertaining to Indira Awas Yojna. However, as far as the petitioner herein is



concerned, there is allegation of illegally allotting sums under the Indira Awas Yojna to a single allottee on two occasions and the said amount comes to around Rs.65,000/-.

The learned Senior counsel for the petitioner submits that the allegation levelled by the Vigilance is incorrect inasmuch as the said allottee, namely, Umrawati Devi, who is said to have been allotted the said amount under Indira Awas Yojna on two occasions, is not the same person who has been allotted twice, but there are two different Umrawati Devi. However, the name of the husbands of both the said Umarawati Devi is same. Nonetheless, the learned counsel submits that for the purpose of securing anticipatory bail, the petitioner is ready to deposit a sum of Rs. 30,000/- (Rs. Thirty thousand) before the Nazarat of the concerned Court, however, the same be made subject to the final outcome of the case.

In the facts and circumstances of the case, I deem it fit and proper to direct that in case the petitioner deposits a sum of Rs. 30,000/- before the Nazarat of the concerned court and surrenders within a period of eight weeks from today, she shall be admitted to the privilege of anticipatory bail upon furnishing a bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance, North Bihar,



Muzaffarpur in connection with Vigilance P.S. Case No. 19 of 2014 (Special Case No.31 of 2014), subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

