

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9101 of 2018

Arising Out of PS. Case No.-1 Year-2015 Thana- KARJA District- Muzaffarpur

Smt. Neelu Paul, the then Block Development Officer, Marwan, P.S. Karja, District- Muzffarpur, at Present A.D.M., Patna, Wife of Sri Mohan Paul, Resident of Village-House No. 120, Adarsh Nagar, P.S. -Bhuidhara, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Gupta

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends her arrest in Karja P.S. case no. 01 of 2015 instituted for the offence under Section(s) 409 and 420 of the Indian Penal Code.

As per the written report of the informant, there is allegation of committing irregularity by Panchayat Secretary, Mukhiya, BDO, Marwan and against those who furnished wrong affidavits for getting the benefits under the provisions of Indira Awas Yogja. The D.D.C., Muzaffarpur has submitted his report to D.M. Muzaffarpur vide letter no. 259 dated 14.8. 2013, which is part of the FIR, wherein, it is mentioned that during the aforesaid period this petitioner was already



transferred. It is also mentioned in the report that mere suspicion has been raised that during that period payment to the beneficiary was approved by the petitioner.

From the aforesaid enquiry report itself, it appears that there is no any allegation against this petitioner of misappropriation of the money and merely suspicion has been raised that she has given approval for payment of the money to the beneficiary after notification of the transfer of the petitioner has been issued.

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 Karja P.S. case no. 01 of 2015, she shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-cum- Sub Judge-II, West Muzaffarpur, 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.

(Sanjay Priya, J)

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