

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41761 of 2018

Arising Out of PS. Case No.-26 Year-2008 Thana- PARIHAR District- Sitamarhi

Pavitri Devi, W/o Rudal Singh @ Rudra Narayan Singh, R/o Vill.- Mehsiya,
P.S.- Parihar, District- Sitamarhi. Mukhia, Gram Panchayat Raj Parihar North,
P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate
For the Opposite Party/s : Smt. Gulnar Begam, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Parihar P.S. Case
No. 26 of 2008 instituted for the offence under Sections
420,406,409,465,466,468,469,504,120B of the IPC.

It is alleged in the complaint case, which was sent to
Parihar P.S. under Section 156 (3) Cr.P.C., that irregularity has
been committed in distribution of flood relief material to the
beneficiaries.

Learned counsel for the petitioner submits that police
after investigation submitted final form dated 31.07.2013 on
28.11.2017 in the court in the case as paucity of evidence but
cognizance has been taken against the petitioner vide order
dated 22.12.2017. It has been further submitted that petitioner
being Mukhiya has no role to play in distribution of flood relief.
Panchayat Sachiv prepare the list of beneficiaries. The



Panchayat Sachiv has already been granted anticipatory bail by coordinate Bench of this Court vide order dated 12.09.2011 passed in Cr. Misc. No. 21645 of 2011.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Parihar P.S. Case No. 26 of 2008 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Sitamarhi, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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