

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6317 of 2018

Arising Out of PS. Case No.-146 Year-2011 Thana- BARUN District- Aurangabad

Sarita Devi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 420,467 and 468/120B of the IPC.

The prosecution case is that Yashoda Devi filed Complaint Case no. 472 of 2011 on 14.6.2011 alleging therein that petitioner being Sevika of Anganbari Centre, withdrew Rs.10,975/- on 8.3.2011 from the account of the Centre by forging the signature of the complainant who was President of the Anganbari Centre. Subsequently, the said complaint got transferred to police station under section 156(3) of the Cr.P.C. and consequently Barun P.S. Case No. 146 of 2011 was registered under sections 420,467,468 and 120B of the IPC.

It is submitted by learned counsel for the petitioner that the entire affairs of the Anganbari Centre is being monitored by the



CDPO. Purchase was made with the money which was withdrawn and such purchase was endorsed not only by the complainant but also the CDPO. It is further submitted that the forgery alleged by the complainant has not been alleged by the banker who allowed the withdrawal of money. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation is specific against the petitioner.

Considering the fact that the petitioner is lady, the bank has not raised the issue of forgery and it is submitted that the investigation is still continuing though it is a case of 2011, 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, Aurangabad in connection with Barun P.S. Case No.146 of 2011 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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