

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43906 of 2018

Arising Out of P.S.Case No. -79 Year- 2018 Thana -DUMRA District- SITAMARHI

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1. Sanjha Devi, Wife of Sitaram Sah, Resident of Village- Rampur Bakhari, P.S.- Dumra, District- Sitamarhi.
2. Ramyash Rai, Son of Lakshman Rai, Resident of Village- Rampur Bakhari, P.S. Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Dumra P.S. Case No. 79 of 2018, registered for offences punishable under Sections 406, 420, 409 and 120(B)/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners, who happens to be Ward Councilor and Panchayat Secretary, Bishanpur have withdrawn a sum of Rs.17.83 lacs fraudulently.

Submission of the learned counsel for the petitioners submits that the said amount of Rs.17.83 lacs withdrawn by the petitioners and when they realized their mistake, has already deposited the money, which will appear from the order dated



28.05.2018 passed in Criminal Misc. No.27531 of 2018 and Mukhiya has been granted regular bail. It is further submitted that the petitioners have no criminal antecedent and from the FIR it appears that the petitioner no.1, Chairman of the Ward Implementation and Management Committee of Ward No.1 and the petitioner no.2, Secretary of the said committee and whole case concerned with Mukhiya, Kaushal Rai himself.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, surrenders be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 79 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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