

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11188 of 2018

Arising Out of PS.Case No. -153 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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Sulekha Devi, W/o Bipin Singh, Resident of Village- Jaitpur, Ward No. 10, P.S.- Barahiya, Dist.- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Nilesk Kumar, Thakur
For the State : Dr. Ravindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in **Barahiya P.S.**

Case No. 153 of 2017 instituted for the offence under Sections 419, 420, 467, 468, 171 and 120(B) of the Indian Penal Code.

In the written report it is alleged that Chanda Devi, Prabha Devi, Srikant Paswan and Sintu Devi have uploaded the names of persons who were not entitled for the fund, and hence, they misappropriated the government money.

Learned counsel for the petitioner has submitted that petitioner is not named in the written report. Her name has come during investigation as member of one of the Panchayat level Vigilant Committee constituted by the order of SDO Barahiya. It has further been submitted that petitioner is a lady.



Learned counsel for the petitioner has further submitted that co-accused Chanda Devi has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 9.2.2018 passed in Cr. Misc. 321 of 2018.

It is mentioned in paragraph-11 of the bail petition that even before filing of the present case the amount which has been wrongly paid to persons who were not entitled, has been deposited in Government treasury.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Barahiya P.S. Case No. 153 of 2017**, 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 **learned Chief Judicial Magistrate, Lakhisarai**, 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 his absence on two consecutive dates without proper and reasonable reason will be



liable to cancel his bail bond 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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