

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19875 of 2018

Arising Out of PS. Case No.-167 Year-2017 Thana- TEKARI District- Gaya

Punam Kumari Daughter of Jagdeo Choudhary, Wife of Ajay Kumar Resident
of Village-Deodharpur, P.S.-Tikari, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 406, 409, 419, 420,
467, 468 and 120B of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 21.04.2017 submitted by the BDO, Tekari
addressed to the Station House Officer, Tekari Police Station to
the effect the 'Old Age Pension' has been disbursed in favour of
the dead persons. Initially the case was initiated on the
complaint of Vijay Gupta, who happens to be the husband of
Shilpa Gupta, the Ward Member of Panchayat.

It is submitted by learned Counsel for the petitioner that
the petitioner was at the relevant time working on the post of



Vikash Mitra. The 'Old Age Pension' are disbursed with the signature of Panchayat Secretary and Panchayat Sewak. Realizing the mistake Panchayat Secretary Hare Krishna Prasad Singh deposited Rs.4,000/- with regard to the payment made in favour of one Malti Devi, which gets reflected from the deposit slip, as contained in Annexure-4. The BDO, Tekari conducted an enquiry in pursuance to the complaint made to the appellate authority under the Public Grievance Redressal Act, wherein it has been recorded that the petitioner was not involved in disbursement of the amount of 'Old Age Pension'. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State that the accusation against the petitioner is specific. However, he has not controverted this fact that under 'Old Age Pension' scheme the disbursing authorities are Panchayat Secretary and Panchayat Sewak.

Considering the fact that Panchayat Secretary and Panchayat Sewak are authorized to disburse the amount under 'Old Age Pension' scheme, petitioner being a lady and her involvement has not been found during enquiry by the BDO, Tekari, as contained in Annexure-5, coupled with statement



made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent., let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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, Gaya, in connection with Tekari P. S. Case No. 167 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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