

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10146 of 2019

Arising Out of PS. Case No.-308 Year-2018 Thana- NOORSARAI District- Nalanda

KANCHAN KUMARI W/o Pankaj Kumar Resident of Village- Chorsua,
P.S.- Giriyak, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satish Kumar Giri

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-02-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Noorsarai P.S. Case No. 308 of 2018 for the offence under Section 419 and 420 of the Indian Penal Code.

The petitioner at the relevant point of time was supervisor-member of a selection committee for appointment of Anganbari Sevika. It is alleged that she violated the guidelines issued for appointment and managed to keep one of the candidates away from the process of selection.

Learned counsel appearing on behalf of the petitioner has submitted that the allegation that a candidate was kept away from the process of selection cannot be attributed individually to the petitioner even if the contents of the First Information Report is to be accepted. It has also been submitted



that ingredients to constitute offence under Section 420 of the Indian Penal Code are missing.

Learned Additional Public Prosecutor has opposed the prayer for anticipatory bail.

However, in the facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda, in Noorsarai P.S. Case No. 308 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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