

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15426 of 2019

Arising Out of PS. Case No.-886 Year-2018 Thana- KHAGARIA District- Khagaria

Nurjahan Khatun, aged about 44 years, Female, Wife of Md. Ismail, Resident of Village-Mathurapur, Kutubpur, Presently Mukhiya Gram Panchayat Raj Kothia, P.S.-Muffasil, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending her arrest in connection with Khagaria (Muffasil) P.S. Case No. 886 of 2018 registered for offences under sections 409, 420/34 of the Indian Penal Code.

In the present case, the petitioner is a Mukhia who was allotted an amount of Rs. 2,30,000/- for construction of road in the village but, she failed to construct the same.

In the impugned order, it has been stated that the money, as alleged, has been deposited by the petitioner in the Panchayat account which is apparently clear from the F.I.R. itself. It has also been stated in the impugned order that it is a



temporary embezzlement.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 886 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, she will remain present and if she would not present herself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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