

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28104 of 2019

Arising Out of PS. Case No.-122 Year-2014 Thana- KARPI District- Jehanabad

MUNIYA DEVI Wife of Bijay Chaudhari Resident of Village - Ponchu
Vigaha,P.S.- Karpi, District- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH S.P. VIGILANCE INVESTIGATION
BUREAU, PATNA Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Anjani Kumar(L.O Inc Vig.)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-07-2019 This application, for grant of anticipatory bail, arises

out of Special Case No. 75 (A) of 2014 (Arising out of Karpi
P.S. Case No. 122/2014), disclosing offences under Sections
420, 406, 409/34 of the Indian Penal Code.

Prosecution case is that the co-accused persons,
namely Brajesh Kumar and Ranvijay Kumar are the Operators
of the N.G.O., namely, Magadh Samaj Kalyan and they alleged
to have committed illegalities and misappropriate Government
money, which was meant for construction of toilet under Nirmal
Bharat Scheme. They have withdrawn the false list of villagers
and beneficiaries. It is further alleged that employees of the
PHED office were also involved in the aforesaid
misappropriation, as without spot verification and signature and



photograph of beneficiaries, the money has been withdrawn and there is allegation against this petitioner that she being Ward Member of the area recommended for payment of bills.

Submission of learned counsel for the petitioner is that she is not named in the F.I.R. and has falsely been made accused in this case on suspicion. She was ward member at the relevant time and she has recommended for payment only after verification by the higher officials and she has no role to play in the alleged defalcation. Further submission is that one of the co-accused, namely, Jhalakdeo Paswan has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 27.08.2018.

learned counsel appearing on behalf of Vigilance has opposed the prayer for bail. However, he could not differentiate the case of the petitioner to the accused, who has been granted anticipatory bail by a coordinate Bench of this Court.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special



Judge, Vigilance -I, Patna, in connection with Special Case No. 75 (A) of 2014 (Arising out of Karpi P.S. Case No. 122/2014), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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