

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27909 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- BARAULI District- Gopalganj

AKLIMA ANJUM @ AKLIMA KHATOON wife of Z Rahman all resident of
Village - Balhan, P.O. and P.S. - Barauli, Distt - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar

For the Opposite Party/s : Mr.Anish Chandra

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 26-06-2019 Let the supplementary affidavit filed today on behalf
of the petitioner be kept on the record.

Heard the parties.

Petitioner seeks pre-arrest bail in Barauli P.S.Case
No.11 of 2019 registered for the offence under Sections 467,
468, 471, 420 and 409/34 of the Indian Penal Code.

Accusation is that under the 14th Finance Commission
Nagendra Prasad Singh, Panchayat Secretary along with the
petitioner being Mukhia of Gram Panchayat Raj Bagheji and
others misappropriated Public funds by preparing wrong
proceeding register of Village-General-Meeting for installation
of 20 hand pipes through agency, namely, Sachin Enterprises,
Gopalganj in the name of fake persons who either were dead or



live in abroad.

Learned counsel for the petitioner submits that while the allegation is that co-accused Nagendra Prasad Singh being the Secretary along with the petitioner being Mukhia of Gram Panchayat Raj Bagheji has misappropriated Rs.4,65,000/- + interest Rs.87082.00 total Rs.55,2082.00 but the petitioner, who is a lady, being the Mukhia of Gram Panchayat Raj Bagheji had put signature only on the cheque which was in custody of Secretary of Gram Panchayat Raj Bagheji. He further submits that against the work of Rs.465000.00 on verification the work was found to be done up to Rs.3,55,370/-. Thereafter in the light of Memo No.498 dated 24.11.2018 issued by the District Magistrate, Gopalganj direction was given to deposit Rs.19733/- with 12% interest to the Secretary and the petitioner Mukhia but only Rs.1,09,630.00 was deposited without 12% interest. Thereafter the B.D.O. Barauli through Letter dated 20.04.2019 directed to the petitioner and Panchayat Secretary to deposit 12% interest of 18 months of Rs.19733.00, which would appear from Annexure-11 to the supplementary affidavit. Thereafter Rs.19733.00 was deposited in Canara Bank in the Account of Gram Panchayat Bagheji on 01.06.2019 which will also appear from Annexure-12 to the Supplementary affidavit. As such, the



withdrawn amount has already been deposited.

Under the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within six weeks from today be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the A.C.J.M.,XIV, Gopalganj, in Barauli P.S.Case No.11 of 2019 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

aks/-

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