

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30235 of 2019**

Arising Out of PS. Case No.-681 Year-2018 Thana- MANER District- Patna

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KANCHAN KUMARI, female, aged about 31 years, Wife of Mukesh Kumar Chaudhay, D/o Sri Krishna Chaudhary Resident of Village - Damariya, P.S.- Gardani bag, Dist.- Patna.(Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Tejendra Sinha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 02-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 409, 420/34 of the Indian Penal Code registered in connection with Maner P.S. Case No. 681 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with illegal grant of benefit over again to some beneficiaries of the Pradhan Mantri Gramin Aawas Yojna. It is submitted that the petitioner as the Supervisor at the relevant time had no role to play in selecting the beneficiaries or disbursement of amount to them rather she was concerned only with overseeing the construction. The payments were made to the beneficiaries upon submission of affidavit by them to the effect that they had not taken any amount under the Scheme previously. The amounts were paid to the beneficiaries into their bank accounts on the basis of the report of the Three Man Committee (Annexure-5). Similarly situated co-accused Ashok Kumar Thakur, Awas Sahayak, has been granted anticipatory bail by this Court by order dated 10.04.2019 in Cr. Misc. No. 22770 of



2019.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Smt. Nutan Kumari, learned Judicial Magistrate Ist Class, Danapur, Patna in connection with Maner P.S. Case No. 681 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present, and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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