

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36364 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- SASARAM NAGAR District- Rohtas

POONAM DEVI Wife of Saroj Bind Resident of Village - Madokhara, P.S.-
Darigaon, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-08-2019 The petitioner apprehends her arrest in connection with
Sasaram Darigaon P. S. Case No. 16 of 2019 registered under
Sections 406 and 420 of the Indian Penal Code.

Allegation against the petitioner, as per FIR lodged by
Gramin Awas Sahayak, Panchayat-Madokhara, is that a sum of
Rs. 55,000/-was disbursed to the petitioner for the purpose of
construction of her house under Indira Awas Yojana but she did
not construct the same within stipulated time and has
misappropriated the amount.

Learned counsel appearing on behalf of the petitioner
submits that allegation against the petitioner of misappropriating
the amount is not correct inasmuch as soon after receipt of the
amount in question, she has purchased building materials for
construction of the house upon her land, but one Kameshwar



Sah and others lodged a case before the court of S.D.M., Sasaram bearing Case No. 478 of 2017 under Section 144 Cr.P.C., which has now been converted into proceeding under Section 145 Cr.P.C. and till date, said case is pending for its final disposal and due to pendency of proceeding under Section 145 Cr.P.C., the said amount could not be utilised for the purpose of construction of house. Learned counsel submits that petitioner undertakes to construct the house from the amount in question immediately after disposal of the proceeding under Section 145 Cr.P.C. pending before the S.D.M., Sasaram.

After having heard learned counsel for the parties and taking into consideration the undertaking given by the petitioner that she will construct the house after disposal of the proceeding under Section 145 Cr.P.C. and further that statement of the petitioner that she has purchased the building materials from the amount, I am inclined to grant anticipatory bail to her.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Sasaram, Rohtas in connection with Sasaram Darigaon



P.S.Case No. 16 of 2019; subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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