

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47023 of 2019

Arising Out of PS. Case No.-278 Year-2018 Thana- ARWAL District- Jehanabad

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1. Smt. Sushila Devi, W/o Sri Raju Chaudhary, Resident of Village - Bhadasi, P.S.- Arwal, Dist.- Arwal.
 2. Dinanath Sao, Son of Late Shalik Sao, Resident of Village - Bhadasi, P.S.- Arwal, Dist.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 30-09-2019 Learned counsel for the petitioners submits that petitioner no. 2, namely, Dinanath Sao, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.2.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.2.

Heard learned counsel for the petitioner no.1 and the learned A.P.P. for the State.

The petitioner no. 1 apprehends her arrest in connection with Arwal P.S. Case No. 278 of 2018, registered under Sections 409 and 420 of the Indian Penal Code.

The accusation is that under Mukhya Mantri Seven



Nishchaya Yogena-Nal Jal Scheme, Rs.7,62,000/- was allocated for work in Ward No. 14 but the work was not done up to mark by Ward Member, Smt. Sushila Devi (petitioner no.1) and Panchayat Secretary, Dinanath Sao (petitioner no.2).

Learned counsel for the petitioner no.1 submits that, in fact, out of Rs.12,69,100/-, Rs.7,61,400/- was given for work and remaining amount of Rs.5,07,000/- was sent in the account on 26.09.2018 but without completing the work within 14 days of sending the second installment, the present case has been lodged with ulterior motive on the instance of villagers having enmity with the petitioner. The petitioner no.1, who is lady, has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner no.1 be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal, in connection with Arwal P.S. Case No. 278 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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