

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60852 of 2019

Arising Out of PS. Case No.-88 Year-2019 Thana- HABIBPUR District- Bhagalpur

SMT. REKHA DEVI @ REKHA DEVI Wife of Munna Das Resident of
Village - Kasim Bagh, P.S.- Habibpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 414, 34 of the Indian Penal Code and Section 7 of the E.C. Act registered in connection with Habibpur P.S. Case No. 88 of 2019.

3. It is submitted that the petitioner, a PDS dealer has been falsely implicated and as a matter of fact, the *arwa* rice recovered was supplied to *bonafide* customers holding ration card. Learned counsel for the petitioner invites reference to the order of the learned Additional Sessions Judge taking note of para nos. 38, 39 and 40 of the case diary in support of the petitioner's stand. The petitioner is a lady claiming clean antecedents.

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 learned ACJM 12, Bhagalpur, in connection with Habibpur P.S. Case No. 88 of 2019, 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 co-operate 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. The petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below 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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