

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78841 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- SABAUR District- Bhagalpur

Smt. Sharda Devi W/o Sri Jaggan Mandal Member of Ward No. 8, Gram Panchayat Mamalkha, P.S-Sabour, Distt.-Bhagalpur & R/vill-Mamalkha, P.S-Sabour, Distt.-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Navjot Yesu

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2019 Petitioner apprehends her arrest in connection with Sabour P.S. Case No. 214 of 2018 registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

Allegation against the petitioner is that without technical sanction and administrative sanction money was given to the petitioner by two cheques for Rs.5,50,000/- and 7500/- and another allegation is that by forging the signature of Dealing Clerk she has deposited the document.

Submission of learned counsel for the petitioner is that as per Government Rule (Annexure-3) up to the amount of Rs.15,00,000/- Junior Engineer is competent to made technical sanction and technical and administrative sanctions have already been granted before releasing two cheques and she has completed the work as per specification. So far allegation of forgery of signature is



concerned, the same has not been examined by any expert and as a matter of fact petitioner has made a complaint to the Lok Ayukt with respect to deposit of record and the Hon'ble Lok Ayukt had initiated proceedings and as such the present case has been lodged.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let petitioner, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Sabour P.S. Case No. 214 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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