

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11702 of 2020

Arising Out of PS. Case No.-165 Year-2016 Thana- KALYANPUR District- East Champaran

Prabha Devi, aged about 55 years, female, wife of Jainath Sahani @ Jayanath Chaudhari, resident of Village : Khatolwa, P.S. Kalyanpur, Distt.- East Champaran
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Rajeev Nayan, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending her arrest in connection with Kalyanpur P.S. Case No. 165 of 2016 registered under sections 409 and 120B of the Indian Penal Code.

As per allegation in the FIR, It is stated that the petitioner who was the Chairman of the School Education Committee left the construction work of the school in the year 2003-2004 incomplete and, as such, defalcated government money.

It is submitted by learned counsel for the petitioner that there is unexplained delay of about 12 years in lodging the FIR. The amount of money which has allegedly been defalcated



has not been mentioned. The petitioner is a lady, having no criminal antecedent. It is submitted that co-accused Shiv Shankar Sah has been granted anticipatory bail vide order dated 28.1.2017 (Annexure-2) passed in Cr. Misc. No. 3395 of 2017.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the grant of bail to the co-accused, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the court below within a period of eight weeks from today and in the event of her arrest or surrender in connection with Kalyanpur P.S. Case No. 165 of 2016, she shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Motihari, East Champaran subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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