

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26043 of 2020

Arising Out of PS. Case No.-336 Year-2018 Thana- KONCH District- Gaya

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RINA DEVI, Wife of Yogendra Prasad @ Jogendra Prasad Resident of
Village - Lodipur, P.O. - Baragawan, P.S. - Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Pradeep Narayan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 20-10-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in a case registered for the offence punishable under Section 467, 468, 420, 406 and 409 of the Indian Penal Code.

The present F.I.R. is against different Ward Members and Ward Secretary. The petitioner being Ward Secretary is accused in the present case. The allegation is that the petitioner made defalcation of the government money. From the report submitted by one Sidheshwar Prasad which was called by Memo No. 859/2019 dated 27.05.2009 it appears that the allotted work has been completed.



Similarly placed co-accused Sunil Kumar, Sunaina Devi and Kunti Devi and Muirtunjay Kumar have already been granted anticipatory bail by different co-ordinate Benches of this Court vide order dated 16.09.2019 passed in Cr. Misc. No.57028 of 2019 and order dated 27.11.2019 passed in Cr. Misc. No. 68806 of 2019. Petitioner has no criminal antecedent.

Having considered the facts and the nature of allegation made against the petitioner and the fact that the works done by the petitioner are found to be satisfactory and no apparent irregularity was found in execution of any scheme, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Konch P.S. Case No. 336 of 2018 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be



present on each and every date fixed by the court and her absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel her bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/veena

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