

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22119 of 2020

Arising Out of PS. Case No.-19 Year-2019 Thana- TARIYANI CHAPRA PS District-
Sheohar

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1. LAKSHMI DEVI W/o Nagina Baitha Resident of Village - Bishambharpur,
P.S.- Tariyani, Distt.- Sheohar.
 2. Anisha Khatoon W/o Md. Kamaruddin Resident of Village - Bishambharpur,
P.S.- Tariyani, Distt.- Sheohar.
 3. Pushpa Devi W/o Sanjay Kumar Sah Resident of Village - Bishambharpur,
P.S.- Tariyani, Distt.- Sheohar.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Devendra Kumar, Advocate.
For the State	:	Ms. Asha Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-09-2020 In view of the submission and undertaking of the learned counsel for the petitioners, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 10.07.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioners and the learned
A.P.P. for the State, through Video Conferencing.

The petitioners apprehend their arrest in connection with
Tariyani Chhapra P.S. Case No.19 of 2019 registered under



Sections 406, 409 and 420/34 of the Indian Penal Code.

The accusation is that Mahba Devi, Ward Member of Ward No.5 of Bishambharpur Panchayat and its Ward Secretary Rajeev Kumar and Rupkanti Devi, Ward Member of Ward No.7 of Bishambharpur Panchayat and its Ward Secretary Sanjay Kumar withdrew the money allotted under the Chief Minister Saat Nischay Yojna/Har Ghar Nal Ka Yojna, for execution of the certain work at village-Bishambharpur but the work has not been completed on the spot nor any measurement book has been prepared by them.

Learned counsel for the petitioners submits that the petitioners are not named in the F.I.R. The names of the petitioners have come in this case in course of investigation, which would appear from paragraph17 of the supplementary case diary, showing their involvement being the members of the Working Committee of Ward No.7 of Bishambharpur Panchayat. Further submission is that Rupkanti Devi, Ward Member of Ward No.7 of Bishambharpur Panchayat, who is one of the F.I.R. named accused, has already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 09.12.2019 passed in Criminal Misc. No.53090 of 2019, after filing the supplementary affidavit stating therein that the



work has been completed and the measurement book along with the progress report has also been brought on record with the supplementary affidavit. The petitioners are ladies and they have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheohar, in connection with Tariyani Chhapra P.S. Case No.19 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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