

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69740 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- RISIYAP District- Aurangabad

1. Basanti Devi, W/o Wakil Rajak R/o village- Mangurahi, P.S.- Risiup, District- Aurangabad
2. Kanhaie Bhuiyan S/o Late Nanku Bhiyan R/o village- Mangurahi, P.S.- Risiup, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh- Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta- A.P.P.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

6 07-07-2020 Heard learned counsel appearing for the petitioner no.1, namely, Basanti Devi as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends her arrest in connection with Risiup P. S. Case No.09 of 2019 registered for the offences punishable under Sections 409 and 420 of the I.P.C.

Petitioner no.1, namely, Basanti Devi was the Ward Chairman at the relevant time and according to prosecution case, Rs.8,84,000/- was credited to the account of Management Committee for execution of Government Scheme, but the petitioner no.1, being Ward Chairman, failed to complete the allotted work within the time.

Learned counsel appearing for the petitioner no.1 submits that the petitioner has already completed the allotted



work, which is evident from measurement book, photo copy of measurement book have already been attached with supplementary affidavit, which has been filed on behalf of petitioner no.1 on 03.07.2020. He further submits that moreover, one co-accused, namely, Munna Thakur and Vinod Sharma @ Vinod Kumar Sharma, having more or less similar allegation, have already been granted privilege of bail by a Coordinate Bench of this Court vide order dated 04.11.2019.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner no.1, namely, Basanti Devi, in the event of her arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Risiup P. S. Case No.09 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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