

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31554 of 2020

Arising Out of PS. Case No.-239 Year-2019 Thana- PATORI District- Samastipur

MAMTA DEVI Wife of Rajeshwar Sah Resident of Village - Lodipur Dhir,
P.S.- Patori, District - Samastipur at present ward member of Gram Panchayat
Raj Fateipur Chaksahi ward no. 13

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends her arrest in connection with
Patori P.S. Case No. 239/2019 registered for the offences
punishable under Sections 385/420/504/506 read with 34 of the
Indian Penal Code.

As per the prosecution case, B.D.O., Patori, Panchayat
Sevak Chaksaho and Junior Engineer called the informant in the
house of B.D.O., Patori and forcibly took signature on the
cheque No. 27110 dated 08.12.2018 for a sum of Rs. 3,20,000/-
in favour of this petitioner.

It is submitted on behalf of the petitioner that from bare
perusal of the FIR itself, it is evident that the entire allegation of
demand of bribery and taking signature of the informant



has been made against all the three officials mentioned in the FIR. So far as this petitioner is concerned, she is simply a Ward Member of Ward No. 13 and the aforesaid alleged work was being done in Ward No. 12 and has got no concern. Petitioner is a lady having no criminal antecedent.

Considering the nature of allegation alleged in the FIR, it is apparent that the entire allegation of taking bribe is against three officials not this petitioner, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from today, 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 IV, Samastipur, in connection with Patori P.S. Case No. 239 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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