

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32998 of 2020

Arising Out of PS. Case No.-439 Year-2019 Thana- GOGRI District- Khagaria

SANJU DEVI Wife of Ashok Yadav Mukhiya under Gram Panchayat Rajpaura, Resident of Village- Paura, P.S.- Gogri (Paura O.P.), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv.
	:	Mr. Shekhar Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary,

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 19-07-2021 Heard Mr. Rajendra Narayan, learned senior Advocate for the petitioner and the Mr. Ram Sevak Choudhary, learned APP for the State.

The petitioner seeks bail in anticipation of her arrest in connection with Gogri (Paura O.P.) P.S. Case No. 439 of 2019 instituted for the offences under Sections 420, 409 and 34 of the Indian Penal Code.

The accusation in the First Information report is that certain schemes of the Government were left uncompleted but before the completion of such projects, money was withdrawn and misappropriated.

The learned senior Advocate for the petitioner has



submitted that the executing agency for such works were the Ward Secretary and the Panchayat Secretary and not the petitioner, who at the relevant time was the Mukhiya of the concerned panchayat. It has further been submitted that the measurement book reveals that the entire work has been completed. Even a bare reading of the accusation in the F.I.R. would reflect that it is absolutely inchoate as it refers to temporary embezzlement of funds. The allegation in the F.I.R., therefore, appears to have been made in haste without verifying the details and without awaiting the response of the executing agents for such schemes.

Regard being had to the afore-stated facts and taking into account that no money is said to have been transferred in the hands or account of the petitioner, she is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in



connection with Gogri (Paura O.P.) P.S. Case No. 439 of
2019, subject to the condition laid down under Section 438
(2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

