

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6512 of 2021**

Arising Out of PS. Case No.-50 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

Anita Devi Wife of Mahendra Choudhary Resident of Village- Sindh, P.S.-
Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 16-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State
through video conferencing.

The petitioner seeks bail in Neemchak Bathani P.S.
Case No. 50/2019 registered for the offences punishable under
Sections 417/419/420 of the Indian Penal Code.

As per the prosecution case, this petitioner
fradulantly withdrew rupees two lakhs through cheque by
making forged signature of the informant.

It is submitted on behalf of petitioner that petitioner is
Member of Ward No. 5 and the cheque amounting to rupees two
lakhs for the alleged withdrawal has been issued in the name of
Afaque Khan not this petitioner. It is further submitted that
petitioner is not the beneficiary of the said transaction of money



and there is no reason to do the forged signature of Ward Secretary. However, petitioner is ready to pay the defalcated amount in easy installments. Petitioner has got no criminal antecedent and she is in custody since 19.09.2020.

In view of the aforesaid facts and circumstances, the **petitioner is directed to be released provisionally after depositing rupees one lakh (Rs. 1,00,000/-)** within four weeks from today and after depositing the same, the court below shall grant provisional bail to her and the rest of the amount of **rupees one lakh (Rs. 1,00,000/-)** shall be deposited by the petitioner in four installments within a period of four months thereafter. If such amount is deposited, provisional bail of the petitioner shall be confirmed.

It is made clear that if the aforesaid conditions are not fulfilled, the Court below is at liberty to cancel the bail of the petitioner.

Let the petitioner above named be released on **provisional bail**, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned A.C.J.M., Xth, Gaya, in connection with Neemchak Bathani P.S. Case No. 50/2019, subject to following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on her absence on two consecutive dates without sufficient reason, her bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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