

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37701 of 2021

Arising Out of PS. Case No.-183 Year-2019 Thana- LADANIA District- Madhubani

TETARI DEVI W/O DHANIK LAL CHAUDHARY (Mukhiya of the Gram Panchayat Mahatha), R/o village- Mahatha, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22205 of 2021

Arising Out of PS. Case No.-183 Year-2019 Thana- LADANIA District- Madhubani

REETA DEVI WIFE OF SUBHAK PASWAN R/O VILLAGE- MAHTHA NAVTOLI, WARD NO.-07, P.S.- LADANIYA, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37701 of 2021)

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
	:	Mr. Vinod Kumar, Advocate
	:	Mr. Udeshya Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

(In CRIMINAL MISCELLANEOUS No. 22205 of 2021)

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
	:	Mr. Vinod Kumar, Advocate
	:	Mr. Udeshya Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 30-06-2022

CRIMINAL MISCELLANEOUS No.37701 of 2021

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 420, 409



and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a lady and Mukhiya having clean antecedent and the informant alleges that the named accused persons have defalcated the government money meant for Nal Jal Scheme and Gali Nali Sadak Scheme of the government.

Learned counsel for the petitioner submits that the allegations are in the realm of allegation, it is next submitted that allegation is of defalcation of Rs. 16 lakhs of public money. It is further submitted that husband of this petitioner is also an accused in the present case and he was taken into custody and he was released after he deposited a sum of Rs. 5 lakhs in the account of Gram Panchayat, further the petitioner is also willing to deposit an amount of Rs. 5 lakhs in the account of Gram Panchayat as such total amount deposited on behalf of the petitioner and her husband would come to Rs. 10 lakhs. Learned counsel further submits that though it is alleged that money has been defalcated but in reality the work was done and the measurement book was also done but the measurement book was not submitted in time when the inquiry was made by the B.D.O. as such the present case came to be instituted.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ladania P.S. Case No. 183 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The petitioner at the time of surrender must produce the receipt that an amount of Rs. 5 lakhs has been deposited in the account of the Gram Panchayat, the learned court below will also certify whether the amount has been deposited or not.

In the event, if on the date of surrender the receipt is not produced, the present order will automatically lose its effect.

CRIMINAL MISCELLANEOUS No. 22205 of 2021

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 420, 409



and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a lady and Chairman of Ward No.7 having clean antecedent and the informant alleges that the named accused persons have defalcated the government money meant for Nal Jal Scheme and Gali Nali Sadak Scheme of the government.

Learned counsel for the petitioner submits that co-accused Mishri Lal Mandal and Vinita Devi who are similarly situated like the petitioner have been granted anticipatory bail vide order dated 21.06.2022 in Cr. Misc. No. 18599 of 2021. Learned counsel submits that Mishri Lal Mandal who has been granted anticipatory bail was the Chairman of Ward No.11 and the petitioner is Chairman of Ward No. 7 as such seeks anticipatory bail on the basis of parity.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that the co-accused have been granted privilege of anticipatory bail, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.



20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ladania P.S. Case No. 183 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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