

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10862 of 2022

Arising Out of PS. Case No.-859 Year-2020 Thana- SARAIYA District- Muzaffarpur

SUNITA DEVI WIFE OF SRI SUNIL PASWAN R/O VILLAGE- REPURA
RAMPUR VISHWANATH, JAINTPUR, P.S.- SARAIYA O.P.- JAINTPUR,
DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Saraiya P.S. Case no. 859 of 2020 instituted for the offence
under Sections 409, 419, 420/34 of the Indian Penal Code.

Prosecution case relates to defalcation of government
money by the petitioner which was provided to him to complete
the work under the scheme of Nal-Jal Yojna to which he has not
completed.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. She has been falsely implicated in the case due to non-



fulfillment of illegal demand. Petitioner has completed the entire work which was allotted to her, and the same is apparent from measurement book. It reveals that total 25,12,000 was received by the Ward Kriyanvayan Prabandhan Samity for completion of Nal Jal Yojan in Ward No. 7 and after completion of the work total 5,12,000/- is still in the said account.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of her arrest or surrender in connection with Saraiya P.S. Case no. 859 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV West, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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