

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14567 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- BITHAN BAZAR District- Samastipur

JYANTI DEVI Wife of Chandradev Mukhiya Resident of village - Ujan, P.S.-
Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Narain Sinha, Advocate
		Mr. Kumari Vandana, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 10-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends her arrest in Bithan P.S. Case No. 137 of 2021 registered for the offences punishable under Sections 409, 420 and 188 of the Indian Penal Code pending in the Court of learned A.C.J.M.-IV, Rosera.

The petitioner, who is Mukhiya of Gram Panchayat Raj, Ujan is said to have not transferred the fund to ward



implementation and management committee of Ward Nos.9 and 12 due to which the said scheme could not be completed.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. She has been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has given Rs.6 Lakhs each to Ward Nos.9 and 12 which was credited on 12.04.2021 and subsequently when some work completed, the petitioner again gave Rs.3 Lakhs each to Ward Nos.9 and 12 which was credited on 23.08.2021 and thus Rs.18 Lakhs was given to Ward Nos.9 and 12. The petitioner used to give remaining amounts to other wards also as per their requirement. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that the Mukhiya was required to give the total amount to ward implementation management committee but the amount has not been given by the then Mukhiya and the work could not be completed. It has come on record that due to laches on the part of the petitioner the welfare scheme launched by the State Government could not be



completed. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case and the materials available on record, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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