

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36819 of 2021**

Arising Out of PS. Case No.-76 Year-2021 Thana- PARBATTa District- Khagaria

Hema Devi W/O Bilash Prasad Yadav R/O Village-Khiradih, P.O-
Dumariabuzurg, P.S-Parbatta, District-Khagaria, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunit Kumar, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 18-05-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending her arrest in a case
registered under Sections 406, 409, 420/34 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner defalcated Rs.6.58 lacs in installing street lights.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been made accused due to mistake of fact. As per the allegation,
street lights were obtained at higher price. The petitioner is the
Mukhiya of concerned panchayat. For the said reason she has been
made accused in the present case. Case has been instituted after four



years of the alleged occurrence. Delay has not been explained by the prosecution. It is further submitted that the petitioner is ready to deposit an amount of Rs.1,00,000/- (one lac) in the court below, which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, **the petitioner is directed to deposit Rs.1,00,000/-(one lac) in the court below, which shall be final disposal of the case.** On doing so, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 learned A.C.J.M. 1st, Khagaria in connection with Parbatta P.S. case No.76/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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