

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33030 of 2022

Arising Out of PS. Case No.-534 Year-2021 Thana- DUMRA District- Sitamarhi

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1. SMT. RAJKUMARI DEVI @ SMT. RAMKUMARI DEVI @ RAM KUMARI DEVI @ RANI KUMARI DEVI W/o Rajendra Sah Resident of Ward No. 04, Village- Kuari, Panchayat- Ranjitpur East (Dumra), P.S.- Dumra, District- Sitamarhi
 2. ARUN KUMAR S/o Gangaram Sah Resident of Ward No. 04, Village- Kuari, Panchayat- Ranjitpur East (Dumra), P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Mr. H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2022 Heard learned counsel for the petitioner as well as learned APP for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 420, 409, 467, 468 read with section 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. He further submits that against the sanctioned amount of Rs.15,000/-, a sum of Rs.8,000/- only was credited in the account of ward no.4 under Nal Jal Yojana. As per the measurement book, petitioners had already completed work of Rs.6,68,000/-. However, they had only withdrawn Rs.5,30,000/- from the said account and the remaining sum of Rs.2,70,000/- is still lying balance in the account. This rather shows that a sum of Rs.1,38,000/- is still due to be paid to the petitioners. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioners in connivance with each other transferred Rs.1,25,000/- for which they were not legally entitled to do so.

Having regard to the facts and circumstances of the case, since work has already been completed by the petitioners, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Dumra P.S.



Case No.534 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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