

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49422 of 2021

Arising Out of PS. Case No.-284 Year-2021 Thana- GOGRI District- Khagaria

SANJU DEVI Wife of Ashok Yadav @ Ashok Kumar Mukhiya of Gram Panchayat Raj Paura, Block- Gogri, District - Khagaria, Resident of village - Paura, P.S.- Gogri (Paura), District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 12-04-2022 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Gogri (Paura) P.S. Case No. 284 of 2021 registered for the offence punishable under sections 409, 420 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that petitioner has not committed any offence as alleged in the first information report and she has been falsely implicated in this case due to enmity. In the meeting of Gram Sabha decision was taken for installation of 227 street lights, tender was invited and contract was awarded to M/s Akshay Urja Jan Jagran Samiti, Begusarai and accordingly work order was issued, which would be evident from Annexure-2, 3 and 4. On the complain of Pankaj Kumar Singh and Chandra Bahskar Kumar, her rivals, an enquiry was conducted and it was held that petitioner has

misappropriated Rs. 8,00,856/- without giving any opportunity of hearing to the petitioner, as evident from the order contained in Annexure-5. Petitioner and others filed appeal against the aforesaid order. After receiving appeal notice the order for institution of FIR was passed which is evident from Annexure-6. Petitioner is a supervisory authority and she cannot proceed without approval of the Block Development Officer.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Gogri (Paura) P.S. Case No. 284 of 2021 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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