

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53329 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- LADAIYATAR District- Munger

1. HELAN DEVI W/o Birendra Bind
 2. Urmila Devi W/o Bindeshwari Ram
 3. Mira Devi W/o Tarani Das
 4. Hemanti Devi W/o Gabbar Suri
- All are Resident of Village - Mahgama, P.S. - Laraiya Tand, Distt.-
Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 409, 419, 420, 467, 468 and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are women and are persons with clean antecedent.

The prosecution case, in short, is that as per the direction of the D.M. and on the basis of the report of Letter No. 34, dated 06.01.2021 of Three Members Inquiry Committee, the B.D.O. has lodged the present case. Further, the Three Members Inquiry Committee has found that the petitioners have not



completed the work in 14th Economic Yojna, 5th Economic Yojna and Saat Nischay Yojna and, thus, the Three Members Inquiry Committee has found the petitioners prima facie guilty.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. The Three Members Inquiry Committee did not give any opportunity to the petitioners to explain their cases and it is next submitted that the entire inquiry was conducted behind the back of the petitioners based on which the present false case came to be instituted. It is next submitted that petitioners are the Ward Members-cum-Ward President of Mahgama Panchayat and from perusal of the letter no. 34, dated 06.01.2020, it would manifest that the bill amount has not been passed by the Mukhiya and Panchayat Secretary. Further, from perusal of letter no. 1642, dated 14.12.2020, it would manifest that the Mukhiya and the Panchayat Secretary have paid Rs.9,36,000/- to one M/S B.G. Chanal, Bariyarpur and from perusal of the technical report, it would manifest that the Executive Engineer, MANREGA gave opinion that the technical officer and the staff were negligent in performing their work. Learned counsel next submits that the petitioners being the Ward Members have been implicated in the present case based on an inquiry conducted behind their back.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees 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 connection with Laraiya Tand P.S. Case No. 10 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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