

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50641 of 2022**

Arising Out of PS. Case No.-47 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

Shila Devi Wife Of Harendra Mahto @ Harendra Prasad R/O Village-  
Dharmraj, P.S.- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Irshad Ahmad Khan

For the Opposite Party/s : Mr. Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      12-12-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to  
remove the defects, if any, within three weeks.

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

Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case. He submits that no criminal case is made out rather this is  
a case of purely civil nature as the dispute relates to the so  
called liability of the petitioner for payment of GST. He submits  
that the petitioner is only supplier of the articles and she has  
already deposited the GST. He further submits that petitioner  
has no criminal antecedent as stated in para-3 of this



application.

Learned APP for the State opposes the prayer for bail and submits that there is allegation against the petitioner of committing tax evasion in GST in government funds under Jal Nal Yojna.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, her prayer for anticipatory bail is rejected in connection with Bhagwanpur Hat P.S. Case No. 47 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioner is only a supplier of articles.

**(Anjani Kumar Sharan, J)**

devendra/-

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