

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63733 of 2021**

Arising Out of PS. Case No.-57 Year-2021 Thana- BHEJA District- Madhubani

SUSHILA DEVI Wife of Late Kamla Kant Jha Resident of Village- Rahua
Sangram, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 18-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 409, 420 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a lady and is a person with clean antecedent and the informant (B.D.O.) alleges that petitioner and other named accused, Panchayat Secretary and Mukhiya have withdrawn large amount of money of 15th Finance Commission unauthorisedly and fraudulently by cheque and draft.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case as petitioner is Mukhiya of Rahua Panchayat, it is



next submitted that it appears that even the FIR was instituted in haste. It is further submitted that the amount withdrawn by this petitioner was Rs. 4,15,000/- and the amount was withdrawn by cheque, further the said withdrawal was with respect to 14th Finance Commission and not 15th Finance Commission as is being alleged in the FIR. Learned counsel next submits that it has been specifically pleaded at Para-12 of the anticipatory application that money withdrawn by the petitioner as alleged by the prosecution is from 15th Financial Commission but as a matter of fact money deposited by the Government in the 15th Finance Commission is still in the aforesaid account being Account No. 2535000102468929 at Punjab National Bank. It is next submitted that the alleged amount was drawn from the 14th Finance Commission account for the work done, and the payments were made, it is also submitted that no prudent person would withdraw money by cheque unauthorisedly and thus get implicated.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her 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. 10,000/- (Rupees Ten Thousand) 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 Bheja P.S. Case No. 57 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

