

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31720 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- BRAHMPUR District- Buxar

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URMILA DEVI W/O JAY PRAKASH YADAV Resident of Village- Jawahi
Diyar, P.S.- Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Vinay Kumar Mishra, Advocate
For the Informant	:	Mr. Siddharth Harsh, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State assisted by learned counsel for the

informant.

2. The petitioner apprehends her arrest in a case

registered for the offences punishable under Section 420 and

406 of the Indian Penal Code.

3. The allegation against the petitioner is that she

issued two cheques of Rs.13,73,600/- (Rs.18,125/- excess) to

Kamla Devi, Ward Chairman and Pankaj Choubey, Ward

Secretary out of estimated amount of Rs.13,55,385/- without

completing construction work of soil filling and Pevar block.

4. It is submitted by learned counsel for the

petitioner that no such occurrence as alleged ever took place.



she has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner has deposited the excess amount of Rs.18,125/- to the Department. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP assisted by learned counsel for the complainant submitted that the petitioner has suppressed her criminal antecedent. Although two criminal antecedent has been mentioned in paragraph-3 of this application but petitioner bears two other criminal cases also being Brahampur P.S. Case No.355 of 2022 and Brahampur P.S. Case No.382 of 2022. Hence, the petitioner does not deserve anticipatory bail on the ground of suppression of material fact.

6. Having regard to the facts and circumstances of the case as the petitioner has already deposited the excess amount, let the above named petitioner, be released on bail, in the event of her 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) 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 Brahampur P.S. Case No. 200 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to accept the bail bond of the petitioner after verifying the fact that petitioner has only two criminal antecedents, bearing Brahampur P.S. Case No.693 of 2021 and Brahampur P.S. Case No.106 of 2022, as mentioned in para-3 of this application, and if more than two criminal antecedents is found then the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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