

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41107 of 2023

Arising Out of PS. Case No.-279 Year-2022 Thana- MADANPUR District- Aurangabad

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Aruni Devi Wife of Dharmendra Thakur Resident of village - Chand Bigha,
P.S. - Madanpur, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Madanpur P.S. Case No. 279 of 2022, registered on 04.06.2022 for the offences under Sections 406 and 420 of the Indian Penal Code.

3. As per prosecution case, the lady petitioner was transferred money in her account for building a house under Pradhan Mantri Awas Yojana, but even after receipt of Rs. 55,000/- she did not complete the construction of the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner started the construction of her house after getting the amount of Rs. 55,000/- which was allotted to her as



first installment and she has invested total amount in the construction of her house but on the date of inspection the house was not fully constructed for want of money. This fact is also clear from the FIR that the construction of the house was not completed. Learned counsel further submits that the petitioner has neither cheated any authority nor defalcated any Government money. She is a poor lady and due to paucity of fund, the construction of her house could not be completed.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation which appears to be non-serious and also considering the fact that the house is said to be constructed yet incomplete, let the petitioner above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/ court concerned in connection with Madanpur P.S. Case No. 279 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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