

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58278 of 2022

Arising Out of PS. Case No.-39 Year-2019 Thana- ISMAILPUR District- Bhagalpur

GITA DEVI WIFE OF ANANDI MANDAL R/O VILLAGE- PARBATTIA,
P.S.- ISMAILPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-03-2023 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 offence under Sections 406, 409, 420 of the Indian Penal Code.

As per the prosecution case, co-accused Bablu Das is alleged to have taken a sum of Rs. 10,05,160/-, which was given to him under *Nali-Gali Scheme* through cheque by this petitioner, who is President of Ward Kriyanwayan Samiti of Ward no.1, but the said work has not been completed by co-accused Bablu Das and thus, he embezzled the government money.

It is submitted on behalf of petitioner that as per F.I.R. itself, the said amount has been received by co-accused Bablu



Das. So far as this petitioner is concerned, she has only issued the cheque in favour of co-accused Bablu Das. It is further submitted that after measurement, it was found that co-accused Bablu Das has completed the work only to the tune of Rs. 4,00,000/-. But, on the undertaking that remaining amount i.e. Rs. 6,05,160/- will be returned in six equal monthly installment, he (Bablu Das) has been enlarged on provisional bail by a coordinate Bench of this Court, vide order dated 19.01.2023 passed in Cr.Misc. No. 56297 of 2022. It is next submitted that petitioner is nowhere at fault and she, being President of Ward Kriyanwayan Samiti of concerned ward, had issued only cheques in favour of co-accused Bablu Das. Petitioner is lady and has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Naugachia, District - Bhagalpur in connection with Ismailpur P.S. Case No. 39 of



2019, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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