

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71661 of 2023

Arising Out of PS. Case No.-264 Year-2023 Thana- MAJHAULIA District- West Champaran

Hazra Khatoon Wife Of Nur Mohammad @ Jhori Miya Resident Of Village-
Rampurwa Mahanwa, P.S.-Majhauriya, District-West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-11-2023 Heard Mr. Sanjeev Kumar Shrivastav, learned counsel

appearing on behalf of the petitioner and Mr. Parmeshwar Mehta,

learned APP appearing on behalf of the State.

2. The petitioner seeks anticipatory bail in connection
with Majhauriya P.S. Case No.264 of 2020 registered under
Section 409 of the Indian Penal Code.

3. As per the FIR, the allegation against the petitioner is
that being the elected ward member of Rampurwa village, she has
not completed the work of *Nal-Jal Yojana*.

4. Learned counsel appearing on behalf of the petitioner
submits that the no misappropriation has been alleged against the
petitioner rather the petitioner named in the present case due to
enmity, as earlier she had filed a case against the Circle Officer,
Pachayat Sachiv, Majhauriya Panchayat. The present case is
counter blast to the same. Allegation made against the petitioner
appears to be of purely administrative in nature, as she has not

handed over the charge to the Gram-Panchayat.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail of the petitioner.

6. Considering the nature of allegation made against the petitioner in the FIR, as well as, the fact that petitioner has filed FIR, prior to the FIR in which petitioner has been made accused against informant, who was ward Sachiv Secretary, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No.264 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-

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