

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73883 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- KORMA District- Sheikhpura

Meena Devi Wife Of Awdhesh Kumar @ Abdhesh Bind @ Awadhesh Bind
Ex Ward Member/ President Of Gram Panchayat Raj, Village- Gangaur Ps-
Korma Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-11-2023 Heard Mr. Syed Rizwanul Haque, learned counsel

for the petitioner and Mr. Parmeshwar Mehta, learned APP for

the State.

2. The petitioner is apprehending her arrest
connection with Korma P.S. Case No. 173 of 2022, F.I.R. dated
10.12.2022 registered for the offences punishable under
Sections 409 and 420 of the Indian Penal Code.

3. Allegation against the petitioner is of
embezzlement of Government money.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and she has been falsely
implicated in the present case. He further submits that as per
allegation in the F.I.R. that the petitioner and co-accused person



has not completed the work of Nal-Jal Yojna. Learned counsel for the petitioner submits that in fact the petitioner has completed the work in question and the measurement book of the work in question suggests that the work has already been completed in the year 2019 itself and the petitioner has been falsely implicated in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has already completed the work in question and from perusal of the measurement book produced by the petitioner it appears that the petitioner has already completed the work in question and no irregularity has been found in the work of the petitioner, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sheikhpura in connection with Korma P.S. Case No. 173 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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