

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9418 of 2024

Arising Out of PS. Case No.-443 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Smt. Nisha Kumari @ Nisha Kumari Wife Of Amardeep Kumar Thakur R/O-
Banjari Ward No. 11, P.S.-GOPALGANJ, Distt.-GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Gopalganj Town P.S. Case No. 443 of 2023 dated 13.06.2023,
instituted for the offence punishable under Sections 420, 468,
467 and 471 of the Indian Penal Code.

3. As per the prosecution case, under the scheme of
Mukhya Mantri Udyami Yojana, Industries Department, the loan
of Rs. 8 lakh was sanctioned to the petitioner to purchase the
machinery and to establish the project of bed-sheet and pillow
cover factory.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and she has been falsely implicated in this



case. It is further alleged that for each project D.P.R. was provided to the petitioner for purchasing machinery to the extent of 25 % as deviation. It is further alleged that to establish the aforesaid project, rupees ten lakh was provided to the petitioner in three installments. During the course of inspection, the vouchers were provided to the commercial Tax Department to verify and it was found that the alleged vouchers were not original and the amount mentioned in the voucher has been changed and shown as Rs. 2,51,340/- in place of Rs. 74,480/- by interpolation in the said voucher. It is submitted that the said amount is the loan amount which has to be paid by the petitioner in installments. Learned counsel has further submitted that if any higher price of machine has been taken by any person by making interpolation in the invoice then the petitioner is the victim of the same and she has to pay the loan amount in higher amount. It is further submitted that the petitioner is paying the installment of loan according to the law and without any delay. Lastly, it has been submitted that she has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Gopalganj Town P.S. Case No. 443 of 2023, she shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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