

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25766 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- GHOGHARDIHA District- Madhubani

Samtoliya Devi @ Samlol Devi Wife of Sita Ram Sah Resident of Village-
Chikana, P.S.- Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 409 and
420/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
the informant alleges that the petitioner was given an advance of
Rs.14 lakhs for completing the work of Nal Jal Yojana for Gram
Panchayat Raj Chikna, further after measurement of the work it
was reported that the work is incomplete and the petitioner has
defalcated an amount of Rs.72,465/-.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is
further submitted that it is not a case of defalcation, rather the



work has been completed and the measurement report is incorrect. It is next submitted that from perusal of the allegation itself it would manifest that the work more than Rs.13 lakhs has been completed as such petitioner never had any intention of defalcating any amount. It is also submitted that petitioner by way of abundant precaution has deposited the amount of Rs.72,465/- as would manifest from Annexures 3 and 3/1.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ghoghardiha P.S. Case No. 73 of 2023 (G.R. No. 785 of 2023), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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