

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37503 of 2024

Arising Out of PS. Case No.-113 Year-2023 Thana- TARARI District- Bhojpur

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Lalti Devi Wife of Jawahar Lal Prasad Resident of Village - Kharauna, Police Station - Tarari, District - Bhojpur, At present resident of Mohalla - Ward No.- 43, Anaith Arrah, Police Station - Nawada Arrah, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmatma Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2024 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Tarari P.S. Case No. 113 of 2023 dated 15.07.2023 registered under Sections 409, 420 & 34 of the I.P.C.

3. As per the First Information Report the petitioner, being the Mukhiya of Shankardih Gram Panchayat, along with Secretary of the said Panchayat misappropriated a sum of Rs. 17,50,000/- which was withdrawn by them for execution of the Government schemes in the Panchayat.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. After withdrawal of the amount, the Panchayat Secretary of the concerned Gram Panchayat was arrested in a family matter and



was in jail due to which the work could not be completed within time. However, he placed reliance upon Annexure-P/2, which is a letter forwarded by the District Panchayat Raj Officer, Bhojpur, Ara dated 15.09.2023 to the Block Panchayat Raj Officer, Tarari, Bhojpur asking him to submit the measurement book on the basis of claim of the petitioner that work to the tune of Rs. 17,50,000/- has been completed. He further submits that vide Annexure- P/3 the District Panchayat Raj Officer, Bhojpur, Ara referring to the joint report of the Block Panchayat Raj Officer, Tarari (Bhojpur) in which he has mentioned that work at serial nos. 1 to 6 having the estimated measurement value of Rs. 6,67,786/- has been completed and further the scheme at serial no. 7 has also been completed by the Mukhiya directed the Block Panchayat Raj Officer, Tarari (Bhojpur) to submit a complete estimate along with the measurement book for the work of seven schemes completed by the Mukhiya. Learned counsel submits that petitioner has thus completed all the work to the value of Rs. 17,50,000/- which was withdrawn for execution of the work in the Gram Panchayat.

5. Regard being had to the submission made by the parties, taking into consideration the Annexures - P/2 & P/3 placed by the petitioner and the specific stand of the petitioner that work



to the value of Rs. 17,00,000/- and odd amount has been completed by her, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory 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. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Tarari P.S. Case No. 113 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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