

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55250 of 2024

Arising Out of PS. Case No.-250 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Dr. Meenaxi Swaraj @ Minakashi Swaraj W/o Vinay Mohan Mishra R/o
Mohalla - HQ B3, 101, Jalalpur City, Ramjaipal road, West Baily Road, P.S. -
Rupaspur, Patna 801503

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar, Advocate
For the Opposite Party/s : Mr.Dinesh Singh,, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2024 Heard Mr. Rajan Prakash, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Durgawati P.S. Case No. 250 of 2023 for the offence
registered under Section 409 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a women and
the informant alleges that the petitioner has not submitted the
utilization certificate of Rs. 25,21,873/- during the course of
running '*Kasturbha Gandhi Girls School, Durgawati*'. It is
further submitted that the petitioner has falsely been implicated
in the instant case without holding a proper enquiry. It is next
submitted that from perusal of the allegation as alleged in the



FIR, it would manifest that it is not a case of embezzlement rather the allegation is non-furnishing of utilization certificate. It is also submitted that the authorities have instituted a case the under the PDR Act for recovering the deed which amply demonstrate that the dispute is of civil in nature.

4. Learned APP appearing on behalf of the State opposes the prayer for bail.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur, Bhabhua in connection with Durgawati P.S. Case No. 250 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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