

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56610 of 2024

Arising Out of PS. Case No.-264 Year-2019 Thana- MANJHI District- Saran

Sri Mati Dulari Devi, W/o Uma Shankar Gond @ Uma Shankar Sah, R/o vill
- Tajpur, P.S. - Manjhi, Distt .- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Manjhi P.S. Case No. 264 of 2019 registered on 07.09.2019 for the alleged offences under Sections 419, 420, 406 and 409 of the Indian Penal Code.

3. As per prosecution case, allegation against the petitioner and other co-accused persons is that of taking benefit of Pradhan Mantri Awas Yojana and Indira Awas Yojana twice and thus getting unjust enrichment by their act.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. The FIR has been lodged on the basis of the inquiry report wherein it has



been simply mentioned that the petitioner took benefit of Indira Awas Yojana of the year 2012-13 as well as Pradhan Mantri Awas Yojana of the year 2016-17 without mentioning any details. There is no detail of payment being made to the petitioner and even quantum of payment. Learned counsel further submits that in fact, local Mukhiya, in connivance with other officials, withdrew the money in respect of Government scheme in the name of innocent persons who were not having knowledge of such withdrawal or the illegal act committed by the Mukhiya and others. Petitioner is a poor lady having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner as well as possibility of false implication, let the petitioner named above, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra/court concerned in connection with Manjhi P.S. Case No. 264 of 2019, subject to



the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

