

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79921 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

LALMUNI DEVI WIFE OF JALESHWAR MAHTO RESIDENT OF
VILLAGE- DAULATPUR, CHANDI, P.S.-HAJPUR SADAR, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-03-2024 **1.** Heard learned counsel appearing on behalf

of the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehending his arrest in connection with Hajipur

Sadar P.S. Case No. 51 of 2023 registered for the

offences punishable under Sections 409 and 420 of the

Indian Penal Code.

3. The allegation against the petitioner is to

commit criminal breach of trust and also to cheat by

defalcating of Rs.14,71,500/- of "*CM Nishchay Yojana*",



being elected ward member of ward no. 3, Panchayat Daulatpur Chandi, District - Vaishali.

4. Learned counsel appearing on behalf of the petitioner submitted that almost entire amount of Rs.14,71,500/- received by petitioner through cheque no. 274194 dated 23.02.2019 used for local work under "*CM Nishchay Yojana*". It is submitted that only Rs. 6,900/- was left unused out of aforesaid amount, which has been transferred to the Bank account of newly elected ward member namely, Babita Kumari. It is also submitted that certificate to said effect was issued by panchayat secretary and a copy was also forwarded to SHO Sadar, Hajipur. It is further submitted that newly elected ward member Babita Kumari, out of her local political differences, implicated petitioner with present false case. While concluding the argument it is submitted that petitioner is a lady of clean antecedent.

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



6. In view of the facts and circumstances as mentioned above and by taking note of the fact, as *prima-facie* almost entire amount was used for public work, and left out amount of Rs. 6,900/- out of Rs. 14,71,500/- was transferred to the bank account of newly elected ward member, accordingly the petitioner above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Hajipur Vaishali/concerned Court where the case is pending in connection with Hajipur Sadar P.S. Case No. 51 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

