

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4216 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- PARIHAR District- Sitamarhi

Rinki Kumari @ Rinku Kumari W/O Anmol Kumar (WARD Member)
Village- Ward No. 14, Parihar, Ps. Parihar, Dist. Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Ayush Kumar, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr. Krishna Prasad Singh, learned senior
counsel for the petitioner and Mr. Parmeshwar Mehta, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Parihar P.S. Case No. 149 of 2023, F.I.R. dated
07.06.2023 for the offences punishable under Sections 406, 420
and 34 of the Indian Penal Code.

3. According to prosecution case, petitioner along
with co-accused person is said to have defalcated the
Government amount of Rs. 5,00,000/- under Nal-Jal Yojna.

4. Learned senior counsel for the petitioner submits
that petitioner has clean antecedent and she has falsely been
implicated in the present case merely on the ground that the
petitioner is Ward Member of Ward No. 14, Gram Panchayat



Raj Parihar North Prakhand Parihar, District- Sitamarhi. He further submits that the allegation against the petitioner and other co-accused person, namely, Mukesh Kumar, who is also a ward Secretary of the Ward No. 14, is that they have misappropriated the Government amount of Rs.5,00,000/-. Learned senior counsel for the petitioner outrightly submits that the petitioner is ready to deposit Rs.2,50,000/- in the official account of the informant.

5. The learned Additional Public Prosecutor for the State has vehemently opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sitamarhi in connection with Parihar P.S. Case No. 149 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. At the time of furnishing bail bond, the petitioner



shall produce a demand draft of Rs 2,50,000/- in favour of the official account of the Panchayat Secretary, Gram Panchayat Raj Parihar North and learned Court below is directed to hand over the said demand draft to the informant or his representative.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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