

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60822 of 2025

Arising Out of PS. Case No.-344 Year-2025 Thana- NAWADA District- Nawada

Shimpi Devi W/o Deepak Kumar @ Deepak Yadav R/o Village- Purna
Mahuli, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the State : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Birendra Kumar, learned counsel for the
petitioner as well as Mr. Satyendra Prasad, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Nawada (Town) P.S. Case No. 344 of 2025, F.I.R. dated 04.04.2025 for the offences punishable under Sections 316(2), 318(4), 338, 336(3), 340(2), 3(5), 61(2) of the BNS, 2023.

3. According to prosecution case, the petitioner along with one another co-accused person is said to have committed fraud with government and taken the benefit of *Pradhan Mantri Awas Yojna* scheme in an illegal manner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that pursuant to the present



FIR, the petitioner also received a notice from the office of the Block Development Officer, Nawada Sadar on 21.03.2025 and pursuant to the notice which alleges that the petitioner has received Rs. 1,20,000/- (one lakh twenty thousand) for construction of the house under the Pradhan Mantri Awas Yojna. He further submits that when the petitioner has received the aforesaid notice, she has deposited Rs. 1,20,000/- (one lakh twenty thousand) on 03.05.2025 and the the Block Development Officer has issued a certificate dated 30.05.2025 which suggests that the petitioner has returned the amount in question in the nodal account number of the Pradhan Mantri Awas Yojna.

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

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and she has returned the amount in question in the concerned account, let the petitioner, above named, in the event of her 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 Chief Judicial Magistrate, Nawada in connection with Nawada (Town) P.S. Case No. 344 of 2025, subject to the conditions as laid down under Section 438(2)



of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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 her 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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