

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82626 of 2024

Arising Out of PS. Case No.-378 Year-2023 Thana- KARPI District- Jehanabad

Rekha Devi W/o - Birendra Saw Resident of Village - Sahar Telpa, PS- Karpi
(Sahar Telpa), Distt.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in a case for the offence punishable under Sections 409, 420 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant states that a total amount of Rs. 12,50,000/- was withdrawn by two accused persons being the Ward Chairman and Ward Secretary for the work under *Nal Jal Yojana*. Although half of the work was done but remaining work which would be of the value of Rs. 6,34,338/- was still not done. Hence, the F.I.R.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case and as a matter of fact the said work was being done through an Agency and it



is the agency who stopped doing the work and that is precisely the reason why the said work could not be completed. It is further submitted that petitioner is an illiterate lady and comes from very extremely backward community. The petitioner has also offered that she would get the incomplete work done by herself but the same does not look possible at present. The petitioner has no criminal antecedent and undertakes to co-operate in the case/trial.

5. The application for bail is opposed by learned APP for the State on the ground that there are materials collected during course of investigation to support the case of the prosecution.

6. At this stage, the petitioner offers to make payment of half of the total alleged amount of Rs.6,34,388/- to the informant in installment within a period of six months.

7. Considering the aforesaid facts and circumstances of the case and also considering the *bona fide* shown by the petitioner, I am inclined to grant the privilege of provisional bail to the petitioner upon making a payment of Rs.50,000/- (Rupees Fifty Thousand Only) as a first installment, a receipt of which would be shown at the time of furnishing of the bail bonds. Thereafter, the rest of the amount would be paid in six



installments within a total period of six months from the date of furnishing of the bail bonds. It goes without saying that after the payment of the entire amount of Rs.3,17,194/- is made by the petitioner, the provisional bail granted to the petitioner would be confirmed by the learned court below.

7. Considering the facts and circumstances of the case, let the above named petitioner in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on **provisional bail** furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Karpi (Sahar Telpa) P.S. Case No. 378 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

8. The application stands disposed of.

(Soni Shrivastava, J)

Harsh/-

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