

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11710 of 2020

Arising Out of PS. Case No.-240 Year-2019 Thana- HARSIDHI District- East Champaran

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Dhanpatiya Devi, aged about 47 years, Female, Wife of Ramesh Kumar @ Ramesh Prasad, Resident of Village Dudhahi Ward No. 12, P.S. Harsidhi, Distt. East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 24-07-2020 Heard learned counsel for the petitioner and learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending her arrest in connection with Harsidhi P.S. Case No. 240 of 2019 registered under sections 409, 420 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated that the petitioner who happens to be a ward member, did not carry out the work as per the estimate, the work done by her was sub-standard and, as such, it was stated that she had misused and defalcated government money.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false. Some of the shortcomings which were found in the work done by the



petitioner, on being pointed out, were rectified. The work was done under the supervision of the Block Development Officer, Mukhiya and other officials. They have not been made accused herein. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the submissions made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the court below within a period of eight weeks from today and in the event of her arrest or surrender in connection with Harsidhi P.S. Case No. 240 of 2019, she shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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