

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35473 of 2018

Arising Out of PS.Case No. -515 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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1. Bobby Kumari, Wife of Praveen Kumar Sharma, Resident of Village-
Lakhipur, Police Station- Salimpur, District- Patna, at present Road No.02,
Indraprasth Colony Jora Talak, Police Station- Bariyatu, District- Ranchi
(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 09-08-2018

Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody since 15.11.2017 seeks bail in
Gandhi Maidan PS Case No. 515 of 2017 registered under Sections
467, 468, 471, 409, 420, 120B and 34 of the IPC and Sections
13(1)(C)(D) & 13(2) of the P.C.Act.

Accusation is that crore and crores of rupees allotted by the
Government of India under the Swachhh Bharat Mission and Lohiya
Swachh Yojana for construction of toilets for maintaining cleanness
was siphoned off by one Biteshwar Prasad Singh, Accountant of
PHED, and the then Executive Engineer Binay Kumar Sinha in
conspiracy with number of non governmental organizations and the
specific accusation against the petitioner is that rupees Two Crore
and odd amount was transferred in the NGO of which the petitioner
is president.

Learned Counsel for the petitioner submits that so called
money was never credited in her personal account and the money
transmitted in the NGO was withdrawn by the Secretary and
Treasurer and not by the petitioner, moreover the money after



withdrawal was received by Biteshwar Prasad Singh so the petitioner is not the beneficiary. Moreover, she is a lady, investigation has already been completed and the petitioner has been in custody since 15.11.2017 and few other co-accused in whose account four – five lakh rupees were transmitted have been admitted to bail.

Whereas learned Counsel appearing on behalf of the State submits that the petitioner's NGO exists only on paper and money to be given directly to its beneficiary for construction of toilets was given to the petitioner's NGO to the tune of more than two crores and misappropriated so it is a kind of scam in connivance with NGO and the concerned officials who transmitted the money all are involved and the petitioner's case is on different footing to that of others who were admitted to bail.

Having consideration of the entire gamut of facts and circumstances, the nature of scam and material against the petitioner, the Court is not persuaded to grant her bail.

So, The prayer for bail of the petitioner is rejected.

(Arun Kumar, J)

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