

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35301 of 2021

Arising Out of PS. Case No.-7 Year-2018 Thana- C.B.I CASE District- Patna

SARITA JHA W/o Sri Mithilesh Pathak R/o Chhoti Hat. Brahman Tola,
Sabour, P.s.- Sabour, Dist- Bhagalpur, Permanent Address- Village- Bharko,
P.S.- Amarapur, Dist- Banka.

... .. Petitioner/s

Versus

The Central Bureau of Investigation (C.B.I.) New Delhi, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha, C.B.I.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Special
Case No. 04/2020 cum RC 7/A/2018 arising out of Kotwali
(Bhagalpur) P.S. Case No. 545/2017 instituted for the offences
under Sections 409, 419, 420, 468, 471, 120B of the Indian
Penal Code read with Sections 409, 420, 467, 468, 471, 120B
and 34 of the Indian Penal Code. Charge-sheet was submitted
under Sections 409, 420, 467, 468, 471 and Section 120B of the
Indian Penal Code read with Sections 13(2) r/w 13 (1) (c) & 13
(1) (d) of the Prevention of Corruption Act, 1988.

The learned counsel for the petitioner submits that the
petitioner is in custody since 12.08.2017, charge-sheet has been



submitted in this case and she is a person with clean antecedents, but after Srijan Scam surfaced she came to be implicated in 22 cases including the present one.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR, but during course of investigation her name transpired and charge-sheet submitted, it would manifest that during course of investigation it has been alleged that she was manager of SMVSSL, and she was joint account operator alongwith Secretary of SMVSSL Late Smt. Manorma Devi. The petitioner endorsed one PO No.657627 for Rs.23,83,000/-) dated 01.02.2013 which was in favour of DDC and the proceeds was deposited in the account of SMVSSL. Further this petitioner diverted following DDs/POs which were issued in the name of DDC and illegally deposited them in the account of SMVSSL. She signed the credit vouchers as depositor, knowing well that these Dds were Government allocated funds for different schemes of DRDA. Further this petitioner alongwith Smt. Manorma Devi issued 42 cheques from the accounts of SMVSSL to deposit made in the account of DDC from SMVSSL accounts in Bank of Baroda. Further, this petitioner and Smt. Manorma Devi issued 126 Cheques in Indian Bank for unauthorized deposit made in the A/c



No.730305570 of DDC Bhagalpur (MANREGA) from SMVSSL account on various dates. The funds which were earlier illegally deposited in the account of SMVSSL, through unauthorized withdrawal and diverting Dds, were misappropriated were reverted back on various dates in the account of DDC. CFSL report confirmed signatures of this petitioner on cheques.

Learned counsel further submits that several co-accused have been granted bail in this case like Pankaj Jha who has been granted bail by order dated 17.07.2020 in Cr. Appeal No. 484/2020 arising out of SLP (Cr.) No. 1530/2020 by the Hon'ble Supreme Court. Further, Jai Shree Thakur was granted bail by order dated 08.09.2020 in Cr. Misc. No.21698/2020, Pradyut Kumar Biswas @ P.K. Biswas @ Biswas by order dated 13.08.2021 in Cr. Misc. No. 8635/2021, Amrendra Kumar Yadav vide order dated 26.08.2021 in Cr. Misc. No.24846/2021 and Deo Shankar Mishra vide order dated 01.12.2021 in Cr. Misc. No.33896/2021.

Learned standing counsel for the C.B.I. submits that the petitioner has been made an accused in 22 cases and she is in conspiracy with Smt. Manorma siphoned of government money, but does not come dispute that bail has been granted to



the co-accused as aforesaid.

Considering the facts aforesaid, the petitioner, above named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge C.B.I.-II, Patna, in connection with Special Case No. 04/2020 cum RC 7/A/2018 arising out of Kotwali (Bhagalpur) P.S. Case No. 545/2017.

(Satyavrat Verma, J)

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