

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40040 of 2020

Arising Out of PS. Case No.-110 Year-2020 Thana- PIPRAHI District- Sheohar

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SMT. PRATIMA SINHA @ PRATIMA SINHA, Female, aged about 45 years,
W/o Late Praveen Kumar @ Munna Singh, Resident of Village - Dhankaul,
P.S.- Piprahi, Distt.- Sheohar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Abhijeet Gautam, Advocate.

For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-07-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

A supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on the record.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 406, 420 and 409/34 of the
I.P.C.

The prosecution story, in brief, is that the informant
who is the Panchayat Secretary, Gram Panchayat Raj, Dhankaul,
has submitted a complaint before the S.H.O. of Piprahi Police



Station vide Memo No. 35 dated 11.06.2020 stating therein that Smt. Pratima Sinha (petitioner) was the Chairman-cum-Ward Member of Ward and Execution Management Committee and one Rajiv Kumar was the Secretary of Gram Panchayat Raj, Dhankaul, Ward No. 04. It is further stated that under the Scheme of 'Har Ghar Nal Ka Jal Yojna', Rs. 14,18,000/- was transferred in the Bank Account of Ward Execution and Management Committee, Ward No. 4, bearing S.B.I. A/C No. 36345206553, Piprahi Branch, on 29.12.2018. Out of which, the work was done only for Rs. 5,24,669/- and the rest of the amount i.e., 8,93,331/- was misappropriated by them. They were warned time and again for completing the work but the work was not completed within time and the amounts had been misappropriated by them.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady. A supplementary affidavit has been filed on behalf of the petitioner stating therein that the work under the Scheme of 'Har Ghar Nal Ka Jal Yojna' has already been completed. It has further been stated that due



to lockdown, the work could not be completed within the time. The petitioner had no intention to misappropriate the public money which was approved for the public scheme.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of the learned J.M. Sheohar, in connection with Piprahi P.S. Case No. 110/2020, corresponding to G.R. No. 620/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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