

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84010 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- NALANDA District- Nalanda

SANGITA KUMARI Wife of Nikhil Kumar Resident of Village - Bahusaba,
P.S.- Saalkush, Distt - Saharsa, at Present - posted as Junior Engineer, Ben
Block, P.S.- Ben, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Janardan Prasad Singh, Sr. Adv.
Mr. Rakesh Kumar, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 27-09-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of her
arrest in connection with Nalanda P.S. Case No. 164 of 2019
instituted for the offences under Sections 420, 409, 188 and
34 of the Indian Penal Code.

The accusation in the F.I.R. is that the work of a
Government scheme for providing potable water and
construction of roads in the village was not done in
accordance with the rules prescribed therein. Out of forty
lakhs which was withdrawn, work was done for only
approximately twenty lakhs and that was also a sub-standard



work.

Hence the case against the persons concerned including the petitioner, who at the relevant time was a Junior Engineer.

The learned counsel for the petitioner has submitted that the petitioner in her capacity as Junior Engineer was not responsible for either withdrawal of the money or of execution of such work. The period during which the work was completed, the petitioner was on maternity leave. The petitioner now has got a son who has to be looked after. The investigation reports indicate that there could be some flaw in the execution of the work but the accusation that no work was done is absolutely incorrect. Apart from this, it has been submitted that most of the accused persons of this case have been granted bail. Some of them have been granted anticipatory bail also.

Regard being had to the gender of the petitioner and the fact that during the period that the work in question was undertaken, the petitioner was on maternity leave, she is directed to be released on bail, in the event of her arrest



or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Nalanda P.S. Case No. 164 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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