

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24313 of 2021

Arising Out of PS. Case No.-36 Year-2020 Thana- SARMERA District- Nalanda

SANGITA KUMARI wife of Sudhir Vishwakarma @ Sudhir Kumar
Vishwamarma Resident of village Sarmera, P.S- Sarmera, Distt- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-01-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State through video conferencing.

The petitioner apprehends her arrest for the

offences alleged under Sections 406 and 420 of the Indian Penal

Code, registered in connection with Sarmera P.S.Case No. 36 of

2020.

The present FIR has been lodged by the Secretary of

village Sarmera Panchayat. As per the allegation, being the

Secretary, he was assigned to look after the works. He has

alleged that so many shortcomings were found in the



performance of the Scheme in Ward Nos. 4, 5 and 6. The works were not completed in time-frame and as per the estimated amount.

The learned counsel for the petitioner has submitted that she is the Chairman of Ward No. 4 and it is not her duty to make estimate or she had any say in selection of the Wards. He has also submitted that the inquiry report dated 09.01.2020, does not specifically mention about the shortcomings of the works done.

From the inquiry report dated 09.01.2020, it appears that Ward No. 4 was selected for works under Mukhya Mantri Nishchay Gramin Pakki Nali Yojna for the years 2017-2018/2018-2019. It has been mentioned in the inquiry report that the works relating to Ward Nos. 4, 5 and 6 were not done according to the standard parameters and it appeared from the inquiry report *prima facie* that the quality of the work was compromised. Not only that, at some places old drains after renovation have been shown as new one. The order of the learned court below also shows that the witnesses in paragraph nos. 11 12 and 13 of the case diary have categorically stated that the Chairman of these three Wards are also involved in misappropriation of the Government funds.



Considering the above facts and circumstances, in my view, it is not a fit case for anticipatory bail. The prayer for anticipatory bail on behalf of the petitioner is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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