

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64450 of 2021

Arising Out of PS. Case No.-40 Year-2020 Thana- RAIYAM District- Darbhanga

REKHA DEVI Wife of Sri Upendra Paswan Resident of Village - Kamaldah,
P.S.- Raiyam, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
		Mr. Pravin Kumar, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-02-2022 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and Mr. Parmeshwar Mehta, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Raiyam PS Case No. 40/2020 registered for the offence
punishable under Sections 406, 409, 420/34 of the IPC.

The allegation against the petitioner in a nutshell is
that the petitioner is a Ward Member of Ward No.8 of Gram
Panchayat and she is also Chairman of Ward Management
Committee who along with Ward Secretary misappropriated the
amount allotted towards the implementation of the Government
scheme called *Nal Jal Yojna* under which a sum out of Rs. 16
Lacs allotted to the said ward Rs. 15,75000/- was withdrawn by



the petitioner but the installation of pipeline and other works regarding *Nal Jal Yojna* was not completed.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and she was continuously implementing the scheme of the Government under *Nal Jal Yojna* and during the pendency of the bail application of the petitioner before the learned Sessions Judge, a report was called for from the concerned Block Development Officer regarding completion of the work in the ward of petitioner and in pursuance thereof, a report has been submitted by BDO, Kewati *vide* Letter No. 1018 dated 05.07.2021 along with a letter of Block Panchayat Officer, Kewati dated 05.07.2021 annexed at Annexure-2 to this application and from perusal of the same, it appears that the defects in the implementation of *Nal Jal Yojna* Scheme have been removed and water supply through the *Nal Jal* connection has started for the residents of Ward No.8.

Learned counsel next submits that petitioner being a lady is in custody since 10.06.2021, charge-sheet has been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration Annexure-2 to this



application which is a report of BDO, Kewati as well as that of Block Panchayati Raj Officer, Kewati confirming the completion of work regarding *Nal Jal* Scheme, petitioner being a lady is in custody since 10.06.2021, charge-sheet has been submitted in the matter , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, REKHA DEVI be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Darbhanga in connection with Raiyam PS Case No. 40/2020.

(Anil Kumar Sinha, J)

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