

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60076 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- JAIPUR District- Banka

SUNITA DEVI Wife of Sunil Keshri R/V- Chandan, P.S- Chandan Dist-
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 409 and 120(B) of the Indian Penal Code.

According to the prosecution case, there was huge misappropriation of the money in relation to the 13 MNREGA schemes detailed in the F.I.R. In most of the schemes, the amount was withdrawn on the basis of fake measurement and in four schemes the money was withdrawn and the work has not even been started.

Learned counsel for the petitioner submits that petitioner has clean antecedent. She has falsely been implicated in the present case. He further submits that the petitioner is



only supplier of materials for the work in question and the petitioner is proprietor of Keshri Enterprises. He further submits that the petitioner has no role at all in the misappropriation of the forged measurement of the work in question. The junior engineer got measurement about total amount of Rs. 1,26,77,891/-. He further submits that the total amount withdrawn against 13 schemes was Rs. 78,72,412/- but the actual work done was Rs. 31,71,150/- the differences of the actual work and total amount of measurement book was Rs. 95,06,741/-. The petitioner has no role at all in the aforesaid transaction. He further submits that Ramesh Kumar Azad the then Junior Engineer, MNREGA did measure the work in question and pursuant to the report of the Junior Engineer the payment has been made and the petitioner has no role at all in the aforesaid transaction of illegal money in favour of the beneficiary. He further submits that co-accused, namely, Sanjay Kumar Thakur has been granted bail by the Co-ordinate Bench vide order dated 23.08.2022 passed in Cr. Misc. No. 5723 of 2022 and co-accused, namely, Dr. Rishikesh Prasad has been granted privilege of anticipatory bail vide order dated 13.12.2022 passed in Cr. Misc. No.19425 of 2022 and co-accused, namely, Sanjiv Kumar Das @ Sanjeev Kumar Das has



also been granted privilege of anticipatory bail vide order dated 13.12.2022 passed in Cr. Misc. No.10019 of 2022 by this Hon'ble Court.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jaipur P.S. Case No. 64 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, her bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

