

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37046 of 2023

Arising Out of PS. Case No.-517 Year-2020 Thana- SIKARPUR District- West Champaran

NITU DEVI @ RITU DEVI Wife of Vishwakant Paswan Resident of Village-
Mathiya, Ward No. 13, PO - Rajpur Madan, PS - Shikarpur, Dist - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 406, 409
and 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent, the Ward Member
of Ward No. 13 and is also the Chairman of the Ward
Management and Implementation Committee and is a woman.

4. The prosecution case, in brief, is that the accused
persons along with the petitioner committed irregularities in
execution and maintenance of record in connection with
schemes under the Mukhyamantri Gramin Peyjal Nishchay
Yojana and the Mukhyamantri Gramin Gali-Nali Pakkikaran



Nishchay Yojana relating to Ward Nos. 13 and 14 of Gram Panchayat Raj Rajpur Tumkadiya, Narkatiaganj Block.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from the tenor of the allegation, it would manifest that the allegation hinges around committing irregularities in execution of maintenance of record in connection with the scheme aforesaid. It is next submitted that petitioner was also alleged of misappropriation of an amount of Rs.3,65,928/-. It is also submitted that the allegations are in the realm of allegation but the petitioner has deposited the said amount, as would be evident from Annexure-2 to this anticipatory bail application. It is further submitted that co-accused Binod Rao has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 05.07.2022 passed in Cr. Misc. No. 60933 of 2021.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned court below where the
case is pending/successor court in connection with Shikarpur
P.S. Case No. 517 of 2020, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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