

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66362 of 2022**

Arising Out of PS. Case No.-23 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

1. Ram Kumari Devi Wife Of Chhenai Sadai R/O Village- Imadpatti, P.S.- Bhairavshthan, District- Madhubani
2. Chhenai @ Chhenai Sadai Son Of Ram Swarup Sadai R/O Village- Imadpatti, P.S.- Bhairavshthan, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      21-04-2023                      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have prayed for grant of bail in connection with Bhairavasthan P.S. Case No. 23 of 2021 registered under sections 406, 409, 419, 420 and 34 of the Indian Penal Code.

Allegation against the petitioners is that they committed financial irregularity in Gram Panchayat, Santnagar under different Schemes and also defalcated the Government money. It is further alleged that the petitioner No.1, namely, Ram Kumari Devi is the Mukhiya of the said Gram Panchayat and the petitioner no.2 is the husband of Ram Kumari Devi.



Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case only for the purpose to damage their image and due to village rivalry. The petitioner No.2 is not named in the F.I.R. rather his name came into light in this case during the course of investigation. It is further submitted from para-9 of this petition that petitioner No.1 has never misappropriated any Government fund under any of the schemes, which is also evident from the Report dated 13.07.2017 of the Junior Engineer. It is also submitted that the Junior Engineer, Jhanjharpur has sent his report to B.D.O. Jhanjharpur alleging therein that all the works were done under specification and quality of work has been done efficiently, as such it cannot be said that the petitioner No.1 along with his husband (Petitioner No.2) has committed any misappropriation of Government fund or has caused any wrongful damage to the department. They have not committed any offence as alleged in the F.I.R. Moreover, they are languishing in judicial custody for more than six months.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and



considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bhairavasthan P.S. Case No. 23 of 2021 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Jhanjharpur, District- Madhubani.

**(Sunil Kumar Panwar, J)**

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