

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57888 of 2023

Arising Out of PS. Case No.-355 Year-2022 Thana- PALIGANJ District- Patna

Sharda Kumari W/O- Shri Doma Sharma Mohalla-100, Chankyapuri Gola
Road Baily Road Po- Danapur Kant Ps- Danapur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

5 27-02-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends her arrest in connection with Paliganj P.S. Case No. 355 of 2022 registered for the offence under Sections 420, 409 and 34 of the Indian Penal Code.

3. The petitioner is former BDO of Paliganj Block. The informant, who is successor of the petitioner, lodged FIR against the petitioner and other accused persons on the instruction of Deputy Development Commissioner, Patna vide order 698 dated 26.06.2019. The allegation is that the petitioner and co-accused persons, who were Jansevak and employees of the block, have failed to clarify the disappearance of cash book



for Rs. 134.21 lakhs as mentioned in audit report, part-II.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent. She is former BDO of the block and there is no allegation of defalcation against her.

5. On the other hand, the learned APP has opposed the prayer for anticipatory bail and submitted that the BDO, Paliganj vide letter no. 558 dated 15.03.2017 has sent his report wherein it has been stated that the petitioner who was BDO, in-charge of the office from 06.07.2011 to 31.12.2012 and, she left the office after transfer without giving charge and any information. Her successor having no option, had to open a fresh cash book as the earlier cash book was not provided to her. The other employees who are co-accused namely Mr. Praveen, Mr. Rakesh and Mr. Bhola Paswan and one Ratnesh Ray, store keeper have also not given their charges to the present Nazir. The office of the Accountant General had inspected the office of the petitioner and in audit report, it has clearly been mentioned that the general cash book of Rs. 134.21 lakhs has not been entered and it has been kept outside.

6. From perusal of the materials, the conduct of the petitioner does not appear to be honest and *prima facie*, her involvement is also transpired in the present case.



7. In my view, the petitioner does not deserve the privilege of anticipatory bail and accordingly, her prayer for anticipatory bail is rejected.

(Nawneet Kumar Pandey, J)

U
T

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

