

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33085 of 2025

Arising Out of PS. Case No.-161 Year-2023 Thana- SUGAULI District- East Champaran

1. Smt. Ram Kali Devi @ Ram Kali Devi wife of Binod Yadav Resident of Village - Devdatwa, P.S. - Sugauli, District - East Champaran
2. Indra Bhushan Pandey @ Indra Bhushan Kumar Pandey@ Anil Pandey son of Late Satya Narayan Pandey Resident of Village - Devdatwa, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in the

F.I.R. and apprehended their arrest in connection with Sugauli

P.S. Case No. 161 of 2023 registered for the offences

punishable under Sections 420, 406 and 409 of the Indian

Penal Code.

3. The allegation against the petitioners is to

defalcate amount of Rs. 4 Lakhs, which was allotted to

panchayat for Mukhyamantri Gramin Nal Jal Yojana.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are elected representatives and merely as work in issue could not be completed within time, present false implication of defalcation of funds was raised against petitioners. It is submitted that measurement book of Junior Engineer working in issue shows that work was completed on 28.05.2023 for which FIR was lodged on 02.05.2023, which appears politically motivated. It is submitted that after execution of work only Rs. 3,500/- was left, which was returned to the concerned account. While concluding argument it is submitted that petitioner no. 1 is a lady of clean antecedent and petitioner no. 2 found involved in one more case of accident, where he is on bail.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as measurement book report of Junior Engineer suggests that work in issue completed on 28.05.2023 prima-facie negating any defalcation, accordingly the petitioners above named, in the event of their arrest or



surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, 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 Chief Judicial Magistrate, East Champaran at Motihari/concerned Trial Court where the case is pending in connection with Sugauli P.S. Case No. 161 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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