

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33309 of 2025

Arising Out of PS. Case No.-160 Year-2022 Thana- HUSSAINGANJ District- Siwan

Suman Devi W/o- Ravindra Manjhi Village - Badram Bararam , P. S - Siwan
Town, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2025 Heard Mr. Ramadhar Shekhar, learned counsel for
the petitioner and Mr. Parmeshwar Mehta, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Hussainganj P.S. Case No. 160 of 2022, F.I.R. dated 20.06.2022 for the offences punishable under Section 409 of the Indian Penal Code.

3. As per the First Information Report, the informant alleged that Rs.16,43,257/- was transferred in the government account of Ward Kriyanwan and Management Samititi for providing Nal Jal Yojana to every house under Mukhya Mantri Sat Nischay Yojana. It is further alleged that after lapse of three years and withdrawal of Rs.12,00,000/- no work was done in Ward No.13 and the same has been embezzled by the petitioner.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. The petitioner is then Mukhiya of Gram Panchayat Raj, Badram District-Siwan and petitioner has no concern at all with the alleged occurrence and after sanction of the amount under Jal Nal Yojna, the amount was transferred in the bank of Executive and Management Committee of Ward No.13 and infact the petitioner and other accused person completed the work in question and junior engineer has submitted M.B Book which suggest that the petitioner and other accused person completed the work in question and the said work exceeded Rs. 5000/- from the allotted amount and other co-accused persons, namely, Vidyalal Manjhi, who is nominated Secretary of Ward No.13 and Radha Devi, who is Elected Ward Member of Ward No.13 of Gram Panchayat Raj, Badram have been granted privilege of anticipatory bail by this Court vide order dated 19.04.2025 in Cr.Misc. No.87651 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and co-accused persons have



been granted anticipatory bail by this Court and apart from that the petitioner along with co-accused persons have completed the work in question, let the petitioner, above named, in the event of 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 the learned Judicial Magistrate, 1st Class, Siwan in connection with Hussainganj P.S. Case No. 160 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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