

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48628 of 2023

Arising Out of PS. Case No.-39 Year-2020 Thana- PIPRIYA District- Lakhisarai

SAROJANI DEVI WIFE OF RAJESH KUMAR @ RAJESH MAHTO
RESIDENT OF VILLAGE- LAL DIYARA, PS- PIPARIYA, DISTT-
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Yadav, Adv.
For the State	:	Ms.Sangeeta Sharma, APP

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

ORAL ORDER

15 18-11-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends her arrest in connection
with Pipariya P.S. Case No. 39 of 2020, registered for the
offences punishable under Sections 409/34 of the IPC.

3. According to the written statement of informant,
funds were released for implementing the Mukhyamantri
Gramin Peyjal Nishchay Yojna in Ward Nos. 9 and 10. On
05.04.2018, an amount of ₹12 lakhs was transferred to the
account of the Ward Creation and Management Committee,
Ward No. 9. The petitioner withdrew the amount on 15.06.2018,
but even after two years, only boring work and about 300 feet of



pipe fitting were completed. On 24.06.2019, an amount of ₹14,90,000 was transferred for Ward No. 10 and by 01.07.2019, ₹13 lakhs was withdrawn by the Chairman and Secretary. Even after one year, only boring work and partial pipe fitting work were done. Despite repeated explanations sought by Barahiya Block and the Gram Panchayat Office, the works remained incomplete. It is alleged that the Chairman and Secretary misused the funds for their personal purposes.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated due to dirty village politics. She is a lady of clean antecedent. During course of investigation, it came to light that work has already been completed. No defalcation or misappropriation was committed by the petitioner.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner has not completed the work under Mukhyamantri Gramin Peyjal Nischay Yojna, even after expiry of two years and allegedly misappropriated the amount. The independent witnesses, in paragraph nos. 3, 63, 64 and 65 of the case diary, have fully corroborated the prosecution case.

6. During course of hearing, it was submitted by the



learned counsel for the petitioner that the entire work has been completed. A report regarding completion of work was called for from the District Magistrate, Lakhisarai which is available on the record. From perusal of the report, it appears that neither the work is completed nor the work is satisfactory. PVC tank (5000 liter) was found ruptured. Starter was found burnt. RCC staging was found only to 4 m which is incomplete.

7. Considering the above-mentioned facts and circumstances, in my view, the petitioner doesn't deserve the privileges for anticipatory bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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