

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50511 of 2025

Arising Out of PS. Case No.-520 Year-2023 Thana- PALIGANJ District- Patna

Nitu Devi Wife of Jya Prakash Kumar Village- Indran Nagar, Dharhara, ps-
paliganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Rakesh Bihari Singh, learned counsel
appearing on behalf of the petitioner and Mr. Parmeshwar
Mehta, learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in connection
with Paliganj P.S. Case No. 520 of 2023 registered under
Sections 406, 409 and 420 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
in connivance with other accused misappropriated public money
which was allocated for Nal Jal Yojana to the tune of
Rs.17,40,588/-.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and she was
not indulged in any crime as alleged against her. Learned
counsel in para-14 of the bail petitioner has informed that the



proprietor of Sunita Power Solution was responsible for supplying the materials and execution of the work. The scheme relates to the financial year 2020-21. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that a sum of Rs.17,40,588/- has been misappropriated in execution of the scheme namely Nal Jal Yojana. In para-14 of the bail application the petitioner has given information that the proprietor of Sunita Power Solution was responsible for supplying the materials and execution of the work. The scheme relates to the financial year 2020-21. The petitioner has not given information, as to whether, she was the Chairman of the Panchayat Samiti during the said period nor the impugned order reveals the said information to hold the petitioner solely responsible for the misappropriation of the fund. Without passing any order on merits, I find it proper to direct the learned District Court concerned to examine the measurement book and see the percentage of work done and



pass a fresh order on the basis of records. In case record reveals that the petitioner was not involved in the misappropriation of the funds and work has been completed, in that case the petitioner deserves to be released on pre-arrest bail on such terms and conditions which the learned District Court deems it fit and proper, and if the same comes out to be not true then in that case the petitioner should be taken into custody, forthwith.

7. Accordingly, the present bail petition stands disposed of.

(Purnendu Singh, J)

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