

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46732 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- PARIHAR District- Sitamarhi

Archana Kumari W/o- Dharmendra Kumar Resident of village - Majhauria
Bazar, P.S.- Bela Parihar, District- Sitamarhi bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 316(5),
318, 338, 336, 336(3) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
the informant alleges that petitioner along with other accused
persons committed irregularities in completion of various
schemes of the *Panchayat* and thus misappropriated an amount
of Rs. 30 Lakhs.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case. It is
next submitted that prior to institution of the instant FIR, no



opportunity was given to the petitioner to explain her side of the case. It is next submitted that had an opportunity been given to the petitioner to explain her side of the case, perhaps petitioner would not have been implicated in the instant case. It is also submitted that no doubt allegation is of committing irregularities in completion of various schemes under the *Panchayat*, but then the allegations are also general and omnibus in nature. It is further submitted that one of the allegations is that a government ghat was to be constructed, but then instead of constructing the government ghat, the amount was utilized for constructing a private ghat.

5. The learned counsel for the petitioner next submits that petitioner is *Pramukh* of the *Prakhand* and the role of the *Pramukh* comes only when the measurement book is prepared and the payment is to be made. It is submitted that once the measurement book is ready and the payment is to be made to the contractors, then the *Pramukh* along with BDO signs. It is submitted that since measurement book recorded completion of the work, as such, the petitioner used to sign the requisite document for making payment. It is next submitted that the instant FIR was instituted on 24.02.2025 and the petitioner, on coming to know about her implication in the instant case, filed



her anticipatory bail application before the learned District Court in the month of June, 2025 and after its rejection in the month of July, 2025 approached this Court for seeking anticipatory bail, but in the month of September, 2025, process under Section 82 Cr.P.C. was issued despite police being aware that petitioner was availing her remedies available in accordance with law and was not absconding. It is further submitted that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Parihar P.S. Case No. 58 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

8. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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