IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78949 of 2026

CNR No. BRHC011109912026

Arising Out of PS. Case No.-24 Year-2023 Thana- MAIN P.S. District- Gaya

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Sarita Kumari Wife of Prashant Kumar Atri Resident of Village - Dehri, Po and PS- Dehri, Dist- Rohtas

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Alok Ranjan, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 25-11-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest in connection with Main/men P.S. Case No.24 of 2023 registered for the offences punishable under Sections 420, 406, 467, 468 and 471/34 of the Indian Penal Code.

3. The petitioner is found to be involved in committing irregularity in several schemes during the year 2016-2021 under the MNREGA scheme causing loss to the government exchequer.

4. Learned Advocate for the petitioner submits that besides the omnibus nature of allegation with regard to irregularities in the schemes under MNREGA, which were 26 in

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total, there is no material which suggests that the petitioner anyhow caused any irregularity leading to loss of the government exchequer. It is further submitted that the schemes in question were implemented for the purpose of extraction of soil. However, owing to floods, the extracted soil was washed away. It is contended that the authorities were required to conduct an inspection and verify the measurements upon completion of the schemes; however, no such inspection was carried out at the relevant time. Instead, the inspection was conducted after a lapse of approximately three years from the completion of the work. On the basis of the subsequent joint inspection report, the petitioner, along with other persons, has been implicated in the present case, notwithstanding the fact that the other accused persons were entrusted with the execution of different schemes. It is further argued that another co-accused person holding similar post of Program Officer, namely Pushpa Kumari, has been extended the privilege of anticipatory bail by a coordinate bench of this Court in Criminal Miscellaneous No. 63013 of 2026 vide order dated 02.09.2026.

5. Taking this Court through the impugned order, it is also argued that during the course of investigation nothing incriminating has surfaced suggesting the complicity of the

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petitioner in crime. The case of the petitioner stands on identical footing to that of Pushpa Kumari, who has been extended the privilege of anticipatory bail. The petitioner is a woman having fair antecedent and she undertakes that she will fully cooperate in the proceedings of the court.

6. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner was one of the persons responsible for the alleged irregularities, which resulted in loss to the Government exchequer.

7. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the fact that the entire allegation is based on documentary evidence, the petitioner is ready to cooperate with the proceedings of the court, besides the offences as alleged in the FIR are punishable up to 7 years and the petitioner has also been deprived from a notice as required under Section 35(3) of the BNSS, coupled with the fact that the case of the petitioner stands on similar footing to that of Pushpa Kumari, who has been extended the privilege of anticipatory bail, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of

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four weeks from today, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Gaya in connection with Main/men P.S. Case No.24 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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