

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4211 of 2025**

Arising Out of PS. Case No.-449 Year-2023 Thana- NAUTAN District- West Champaran

Smt. Kalpana Kumari @ Kalpana Kumari @ Kalpna Kumari W/O - Nalin Bilochan @ Nalin Bilocha R/o Khobada Road, Near Water Tank, Muzaffarpur, P.S.- Kaji Muhammadpur, University, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vatsal Verma

For the Opposite Party/s : Mr. Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      12-02-2025      1. Heard learned counsel for the petitioner, Mr. Shashank Shekhar and learned A.P.P. for the State, Mr. Rabindra Kumar.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 406, 409, 467, 468 and 471 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and has been falsely implicated in the instant case by the informant for the reason that the petitioner and her husband came to know that informant has cheated them by leasing out a land for establishing a college which was already sold by his grandfather in the year 1980.



4. It is next submitted that the informant alleges that Ishwar Shanti Mahavidyalaya, Jhakra, Nautan is being run by “AMMA” Charitable Trust, having its registered office at Kavivar Nepali Path Bettiah, it is next alleged that the informant is the Chairman of the said trust and is also the land donor of the said college and co-accused, Dr. Nalin Bilochan is the Secretary of the trust whereas his wife i.e. petitioner is member of the trust and is also Secretary of the college, it is further alleged that one of the near associates of Dr. Nalin Bilochan namely Lalitesh Narayan Prasad is the Principal of the college and other three members of the college are Vinita Sharan, Satyendra Sharan and Saba Khanam who are also the members of the Managing Committee of the college, it is next alleged that for opening a bank account, a meeting was convened on 12.02.2021 wherein it was decided that the saving account of the college would be opened under the signature of the petitioner and Saba Khanam jointly, however with an intention to misappropriate the funds of the college, Nalin Bilochan along with the petitioner as well as Principal of the college Lalitesh Narayan Prasad in a well hatched conspiracy manipulated the records and removed the name of Saba Khanam in the decision taken by the committee for opening the account of the college, as such, by removing the



name of Saba Khanam, the account was opened on the basis of sole signature of the petitioner, for which forged documents relating to the decision dated 12.02.2021, were submitted with the bank for the purposes of opening the account, further an internal inquiry was conducted by two members of the said trust namely Satyendra Sharan and Saba Khanam who conducted the physical inspection of the college on 14.09.2023 and examined the account relating to the Sessions 2021-2023, as provided by Sachin Kumar who is the Clerk of the college and on perusal of the record, it transpired that during the said session, the college received about Rs. 1,03,47,960/- under the head of charges and fee, but according to the bank passbook only Rs. 46,68,396/- is in the saving account of the bank which includes the interest amount also, further out of the aforesaid amount Rs. 23,71,643.22 has been withdrawn without obtaining consent of the Managing Committee/Trust and the said withdrawal has been done by Dr. Nalin Bilochan, thus, alleges that based on the information provided by Sachin, the internal inquiry was conducted which found that an amount of Rs. 80,51,207/- has been misappropriated by Lalitesh Narayan Prasad and Dr. Nalin Bilochan along with the petitioner, further criminal antecedent of co-accused Dr. Nalin Bilochan also came to the knowledge of



the informant and it was found that co-accused Dr. Nalin Bilochan while being posted as Principal of L.N.D. College, Motihari has indulged in corruption by misappropriating funds and further for the said defalcation, the employees of the said college have instituted Motihari Town P.S. Case No. 744 of 2018.

5. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that in sum and substance the informant, who is the Chairman of the Trust, alleges that an amount of Rs. 80,51,207/- was misappropriated by the accused persons including the petitioner in connivance. It is submitted that petitioner is wife of Dr. Nalin Bilochan and was the Secretary of the college.

6. The learned counsel for the petitioner, at this stage, submits that it would not be out of place to submit here that husband of the petitioner came up with a proposal for opening a college in the name of his parents i.e. Ishwar Shanti College and approached the informant for donating land pertaining to his share, on which the informant agreed, but the informant instead of donating the land, leased out 510 decimal of land along with a building for establishing the aforesaid college vide Lease Deed dated 25.02.2021 (Annexure-1) at an yearly rental of Rs.



1,80,000/- and became the Chairman of the Trust.

7. It is submitted that the college was established and the students started taking admission, further petitioner was elected as Secretary of the college and bank account in SBI was opened in her name in which money was collected. It is submitted that the petitioner from the said money after obtaining permission of the Managing Committee spent the money in getting the building of the college constructed and for other facilities. It is submitted that since the college started functioning, as such, the college was granted permanent status for the year 2023-2026 by letter dated 02.06.2023 issued by the Vice chancellor, BBABU University, Muzaffarpur. It is submitted that thereafter the boundary wall of the college was to be constructed, hence the Principal of the college requested the informant to provide the original documents of the land so that the boundary of the land can be identified for constructing the boundary of the college, it is submitted that informant was reluctant in providing the original documents of the land, but then the Principal of the college along with the petitioner and her husband were insisting the informant to provide the said document relating to the land by which the land was leased, on which the informant had no option but to disclose the truth that



the leased land was already sold by his grandfather vide sale deed dated 10.03.1980, as such, despite getting permanent affiliation, the college cannot be established on the said land and the affiliation had to be eventually revoked, on which the husband of the petitioner confronted the informant saying that the informant has cheated them by leasing a land which was already sold in the year 1980, on which a college building has been constructed which has received permanent affiliation, but then the said affiliation would be revoked as the leased land did not belong to the informant, hence an altercation took place and the husband of the petitioner said that an FIR would be instituted against the informant when the instant FIR came to be instituted with a view to coerce the husband of the petitioner along with others into submission. It is also asserted and submitted that it has been specifically pleaded in the anticipatory bail application that Sachin, who was an Accountant of the college, has given an affidavit that no misappropriation has taken place. It is also submitted that petitioner being a woman has been targeted by the informant when the informant himself has committed forgery by leasing a land which was already sold in the year 1980. It is further submitted that petitioner will not abscond rather will co-operate



in the investigation to prove her innocence.

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

9. 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 Nautan (Jagdishpur) P.S. Case No. 449 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

**(Satyavrat Verma, J)**

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