**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.14752 of 2025**

Arising Out of PS. Case No.-100 Year-2023 Thana- ISHUPUR BARAHAT District- Bhagalpur

======================================================

Ekta Sinha Wife of Satyam Sinha Resident at Near Sabji Chowk, P.O. and P.S. - Barari, District - Bhagalpur

... ... Petitioner/s

Versus

1. The State of Bihar
2. Siyaram Rai Son of Kailash Prasad Rai Resident of Village and P.O. - Shreematpur, P.S. - Pirpainti, District - Bhagalpur, the then Branch Manager, Dakshin Bihar Gramin Bank, Ishipur Barahat Branch, P.S. - Ishipur (Barahat), District - Bhagalpur

... ... Opposite Party/s

======================================================

**Appearance :**

| | | |
|---|---|---|
| For the Petitioner/s | : | Mr.Pranav Kumar, Advocate. |
| | | Ms. Shrishti Singh, Advocate. |
| For the Opposite Party/s | : | Mr.Ajit Kumar, APP. |
| For the O.P. No.2 | : | Mr. Ranjit Kumar Pandey, Advocate. |

======================================================

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**

ORAL ORDER

5 02-09-2025 Heard Mr. Pranav Kumar, learned counsel along with Ms. Shrishti Singh, learned counsel appearing on behalf of the petitioner; Mr. Ajit Kumar, learned APP for the State and Mr. Ranjit Kumar Pandey, learned counsel for the O.P. No.2.

2. The petitioner seeks pre-arrest bail in connection with Ishipur Barahat P.S. Case No. 100 of 2023 registered for the offence punishable under Sections 420 and 409/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the husband of the petitioner misappropriated a sum of Rs. 1, 02,

71,873.97 (Rupees one crore two lakhs seventy one thousand eight hundred seventy three and ninety seven paise) of the Bank and has also benefited his wife and his family members out of the sale proceeds. Petitioner is not named in the F.I.R. The F.I.R. is against named accused persons including the husband of the petitioner, namely, Satyam Sinha who was the then Branch Manager. The duration of the offence is from 05.06.2021 to 27.02.2023.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is a lady and she is the proprietor of Ashwanita Medical Hall. It has orally been admitted that out of the sale proceeds, the husband of the petitioner has generated certain income, however, for no fault of her, certain amounts were transferred into the accounts of the petitioner by the husband of the petitioner. Learned counsel submitted that the petitioner is ready to return back the amount to the Bank, but the same is only possible, if the petitioner is allowed to know about the amount which has been transferred allegedly as claimed by the informant and for that learned counsel seeks time so that the petitioner can arrange the said amount. Learned counsel admitting the fact that though he has not placed on record the details of the different sources of

money which has been transferred into her account, as well as, the account of the Ashwanita Medical Hall for which he will place the initial money with which she had started the business and return filed both under the CGST, as well as, SGST. Learned counsel submitted that for the common act which has been alleged against the petitioner in respect of misappropriation of fund, criminal action against the petitioner cannot be automatic. On these grounds, learned counsel seeks to be released on pre-arrest bail.

5. Mr. Ranjit Kumar Pandey, learned counsel has tendered his appearance on behalf of the opposite party no.2 and opposing the present bail application has submitted that the anticipatory bail application of the husband of the petitioner has been rejected vide order dated 20.08.2025 passed in Cr. Misc. No. 67533 of 2023. Learned counsel humbly sought for time to file counter affidavit in the present case, however, this Court allowed him to refer the supplementary counter affidavit which he had filed in the bail application of the co-accused Satyam Sinha being Cr. Misc. No. 67533 of 2023.

6. I have perused the statement of the account of the petitioner which has been referred in Para-5 of the supplementary counter affidavit filed in Cr. Misc. No. 67533 of

2023 to substantiate that out of the total misappropriated amount, Rs. 56,08,945.91/- has been deposited / transferred in the accounts of the petitioner and his relatives and rest amount of Rs. 46,62,928.06/- have been defrauded through other customers and daily wager’s account mentioned in the investigation report. He admits that no case under Prevention of Corruption Act has been filed in this regard. Referring to the tabular accounts statement, it has been clarified by the learned counsel that substantial amount of Rs. 27,85,930/- was transferred into the A/c No. 36138700000042 in the name of Ashwanita Medicall Hall (Proprietor Ekta Sinha). Ignoring the other meager amount, in absence of any explanation on behalf of the petitioner, she cannot be absolved from criminal prosecution when her husband has allegedly misappropriated a sum of Rs. Rs. 1, 02, 71,873.97 (Rupees one crore two lakhs seventy one thousand eight hundred seventy three and ninety seven paise). Learned counsel further submitted that considering the act of criminality committed with a common intention, both the co-accused who are husband and wife (petitioner) got benefit by embezzling huge amount of Rs. 1, 02, 71,873.97 (Rupees one crore two lakhs seventy one thousand eight hundred seventy three and ninety seven paise), the complicity of the petitioner cannot be denied from the criminal act, as has been alleged in the F.I.R.

7. Mr. Ajit Kumar, learned APP opposing the bail application submitted that in course of investigation, sufficient materials have been collected against the petitioner that on different dates, the husband of the petitioner has transferred substantial amount into the account of the petitioner and the proprietorship firm which is run by the petitioner.

8. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., the husband of the petitioner was the Branch Manager of the Bank at the relevant time and it is not unknown as on date, in what manner, the Branch Mangers, particularly of the Dakshin Bihar Gramin Bank, are vested with common interest to gain out of the bank deposits of the poor customers. On several occasions, similar cases have been filed and the main accused also faced disciplinary action. The conduct of the present Manager with alleged fraud also cannot be denied.

9. At this stage, it has been informed by the learned counsel appearing on behalf of the Bank that the bail application filed on behalf of the husband of the petitioner co-accused Satyam Sinha has been rejected by this Court vide order dated

20.08.2025 passed in Cr. Misc. No. 67533 of 2023, but he is still apprehending his arrest.

10. I find that the huge amount of public money has been swindled by the act of husband of the petitioner and the petitioner got benefitted, as such, complicity of the petitioner cannot be denied, considering that the amount has illegally been transferred in her account, as well as, account of the Ashwanita Medicall Hall, whose proprietor is the petitioner.

11. I am not inclined to enlarge the petitioner on pre-arrest bail. Accordingly, the bail application stands rejected.

**(Purnendu Singh, J)**

mantreshwar/-

| | | | |
|---|---|---|---|
| U | | T | |