

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34531 of 2025

Arising Out of PS. Case No.-15 Year-2023 Thana- COMPLAINT CASE - PUPRI District-
Sitamarhi

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1. SHATRUDHAN RAI S/o- Late Ramshreshth Rai Village- Hariharpur W.No-4, Ps- Pupri Dist- Sitamarhi
 2. Mamta Kumari W/o- Shatrudhan Rai Village- Hariharpur W.No-4, Ps- Pupri Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjit Kumar S/o- Satyanarayan Rai Village- Temahua Ps- Pupri Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 04-11-2025 Heard learned counsel for the petitioners as well as the
learned APP for the State.

2. The petitioners apprehend their arrest in connection
with Complaint Case No. 15 of 2023 registered for the offences
punishable under Sections 406, 417, 420 of the IPC.

3. According to complaint petition, the petitioner no.
1, who is the Manager of Co-operative Society Ltd., sanctioned
a loan of Rs. 1 lakh in favour of co-accused Md. Shahabuddin
Ansari @ Md. Shahabuddin, to which petitioner no. 2, who is
the wife of petitioner no. 1, was the guarantor. Co-accused Md.
Shahabuddin Ansari @ Md. Shahabuddin misappropriated that
amount.



4. The learned counsel for the petitioners has submitted that, as a matter of fact, petitioner no. 2 had deposited the money in the Co-operative Society Ltd., but the maturity was not returned, leading her to lodge Complaint Case No. 343 of 2022 against the complainant. In that case, cognizance was taken, and to save himself from that case, the complainant has lodged the present case. His further submission is that co-accused Md. Shahabuddin Ansari @ Md. Shahabuddin, the borrower, has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 44852 of 2025. The co-ordinate Bench, while granting bail to Md. Shahabuddin Ansari @ Md. Shahabuddin, observed that the complainant has an alternative remedy in law to recover the dues amount from the petitioner without resorting to criminal proceedings.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the petitioners along with one Md. Shahabuddin Ansari @ Md. Shahabuddin conspired each other to grab the said amount from the bank.

6. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Pupri at Sitamarhi in connection with Complaint Case No. 15 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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