

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34991 of 2025

Arising Out of PS. Case No.-498 Year-2022 Thana- SABAUR District- Bhagalpur

Smt. Usha Gupta W/O Late Nripati Sutradhar R/O vill.- Chandheri, P.S.-
Sabour, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-08-2025 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for the offence under Sections 406, 409, 419, 420 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that at the relevant time, this petitioner was Mukhiya of the Panchayat and all the cheques of alleged amount was issued in favour of Secretary and not a single cheque was issued in favour of the petitioner, hence it is the Secretary of the Panchayat who is responsible for the work alleged if not done.

3. However, a supplementary affidavit has been filed on behalf of petitioner and in paragraph 3 of the same, it is stated that the petitioner is ready to deposit Rs. 2,00,000/- (Rs.



Two lakhs only) within a period of six months in equal installments.

4. Considering the aforesaid facts and circumstances, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur in connection with Sabour P.S. Case No. 498 of 2022, in the light of following terms and conditions:

A. At the time of furnishing bail-bond Rs. 50,000/- (Rupees fifty thousand) shall be deposited through Bank Draft.

B. Rest amount i.e. Rs. 1,50,000/- in five installments [i.e. at the rate of Rs. 30,000/- for five installments within a period of six months from the date of furnishing bail-bond.

C. If petitioner fails to comply with the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.

5. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail. The aforesaid payment shall be subject to final outcome of the case.

(Prabhat Kumar Singh, J)

Prakash/-

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