

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36901 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- RAFIGANJ District- Aurangabad

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Sima Devi W/O Brajesh Prasad Village- Baligawn, PS- Rafiganj, District-
Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
	:	Ms. Rupa Kumari, Advocate
For the State	:	Mr. Jitendra Kumar Singh.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 11-09-2025 Heard Mr. Yugal Kishore, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP

representing the State.

2. The petitioner is apprehending her arrest in
connection with Rafiganj P.S. Case No. 23 of 2025 registered
for the offence under Sections 318(4) and 316(2) of the B.N.S.,
lodged on 17.01.2025 by the informant, Sabita Devi.

3. As per the prosecution story, the informant a
'Jeevika' Lady alleged that they were running a 'Jeevika' Group
of ten ladies with the petitioner as its Community Mobiliser
(CM). The allegation is that she took money from different
groups but kept the same with herself. The details are follows:

(i) Sani Group-Rs.1,33,650/-;

(ii) Radha Group-Rs.3,49,800/-;

(iii) Shyam Group-Rs.3,88,460/-;



- (iv) Ganga Group-Rs.4,79,430/-;
- (v) Saraswati Group-Rs.2,31,000/-;
- (vi) Kajal Group-Rs.5,81,280/-;
- (vii) Khushi Group-Rs.86,835/-;
- (viii) Jigyasha Group-Rs.94,500/-;
- (ix) Puja Group-Rs.1,55,000/- and;
- (x) Chameli Group-Rs.1,88,680/-.

4. When they complained, the Block Project Implementation Manager, Rafiganj looked into the matter and found the allegation to be correct. This followed the F.I.R.

5. Learned counsel for the petitioner submits that there has been some confusion, he was successfully running the group, in a haste, she got implicated, further, would like to return the amount to all the groups in installment as follows:

- (i) Sahni Group-Rs.1,33,650/-;
- (ii) Radha Group-Rs.3,49,800/-;
- (iii) Shyam Group-Rs.3,88,460/-;
 - (a) Rs.2,00,000/-
 - (b) Rs.1,88,460/-
- (iv) Ganga Group-Rs.4,79,430/-;
 - (a) Rs.2,00,000/-
 - (b) Rs.2,79,430/-
- (v) Saraswati Group-Rs.2,31,000/-;
- (vi) Kajal Group-Rs.5,81,280/-;
 - (a) Rs.3,00,000/-
 - (b) Rs.2,81,280/-
- (vii) Khushi Group-Rs.86,835/-;



(viii) Jigyasha Group-Rs.94,500/-;

(ix) Puja Group-Rs.1,55,000/- and;

(x) Chameli Group-Rs.1,88,680/-.

6. Further to show her bonafide, she would like to pay the first two groups, Sahni Group and Radha Group at the time of execution of bail bond and the others shall be paid in installment every month till the actual payment is made.

7. Learned APP though opposes the prayer submits that if the lady is ready to return the amount, relief can be extended to her.

8. Considering the submissions of the parties as also the fact that she has shown her inclination to make the payment in installment every month till the amount is cleared as recorded in paragraph no.5, this Court is inclined to extend her the privilege of anticipatory bail.

9. It is made clear that at one go, she will have to clear the amount for the first two groups i.e. (i) Sahni Group and (ii)Radha Group and thereafter for every group in next eleven months. Failure to do, she may have to suffer by way of cancellation of bail bond.

10. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case No. 23 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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