

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52302 of 2025

Arising Out of PS. Case No.-244 Year-2021 Thana- BANKA District- Banka

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1. Ravina Kumari @ Rabina W/O Nand Kishore Das Resident Of Village- Jhajha, P.S.- Fullidumar, Dist.- Banka
 2. Birendra Kumar @ Birendra Kumar Das S/O Late Ramnath Das Resident Of Village- Jhajha, P.S.- Fullidumar, Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Banka P.S. Case No. 244 of 2021, dated 02.04.2021, lodged under Section 420, 408, 409 and 120(B) of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against seven named accused persons, including the present petitioners, with the allegation that defalcation has been committed by the co-accused, namely Nand Kishore Das, amounting to Rs. 8,32,960/-, which has been accepted by him but not deposited.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. He further submits that the present petitioners are the wife and brother of the co-accused, Nand Kishore Das. He also submits that the co-ordinate Bench of this Hon'ble Court, after considering the merits, granted anticipatory bail to the co-accused Nand Kishore Das vide order dated 07.05.2025, passed in Cr. Misc. No. 27917 of 2025. Furthermore, he submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that the main accused, against whom there is an allegation of defalcation, has been granted anticipatory bail, whereas the petitioners are the wife and brother of the said co-accused.

6. It transpires to this Court that the bail of the co-accused, Nand Kishore Das, has been granted with condition that if charge-sheet is submitted connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing



bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 244 of 2021, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. It is made clear that the conditions imposed in Cr. Misc. No. 27917 of 2025 shall remain the same for the present petitioners, i.e., to say:-

“It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.”

(Dr. Anshuman, J.)

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