

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63478 of 2025**

Arising Out of PS. Case No.-152 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

Balram Singh S/o Jagdev Singh resident of Village- Nadiyami, Ladiyami, P.S-
Kusheshwar Asthan, Dist-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-12-2025 Heard Mr. Amit Kumar Singh, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Kusheshwar Asthan P.S. Case No. 152 of 2024 for the
offence registered under sections 406, 409, 420 and 34 of the
IPC.

3. As per the prosecution story, the informant alleged
that on the instruction of the District Magistrate, Darbhanga, the
case is being lodged against the present petitioner.

4. Learned Counsel for the petitioner submits that he
being the ‘Mukhiya’ of Bhadhar Panchayat Raj of Kusheshwar
Asthan Block has been implicated for the financial irregularity.
He is ready to appear before the officials to show his bonafide



and if there is any due left over to him, shall be clearing it once he gets notice of the entire things in accordance with law. Further, to show his bonafide, he is ready to pay Rs. 4,00,000/- by demand draft issued by the local branch of the State Bank of India/any Nationalized Bank in favour of the Block Development Officer, Kusheshwar Asthan, Darbhanga.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that financial irregularity has happened and his role as 'Mukhiya' cannot be ignored.

6. Allegation is there, the petitioner is ready to pay the amount, is further ready to approach the District Magistrate, Darbhanga with all his documents and has given an undertaking that once the entire details are made available, he shall be ensuring its clearance. In that background, this Court is inclined to grant him the anticipatory bail with the following conditions:

(i) the said demand draft of Rs. 4,00,000/- shall be made available to the concerned Court at the time of execution of the bail bond which in turn shall be handed over to the Block Development Officer, Kuseshwar Asthan, Darbhanga after checking the credentials.

(ii) the petitioner shall be



approaching the District Magistrate, Darbhanga after getting the bail along with this order who shall be appointing an Officer to look into the matter and shall provide the document/details to the petitioner.

(iii) the petitioner shall be diligently assisting/ cooperating with the concerned Officer deputed by the District Magistrate, Darbhanga and is duty bound to satisfy them;

(iv) shall in no way try to block the investigation/ enquiry in such matters.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Additional Sessions Judge 1, Benipur, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 152 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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