

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74828 of 2025

Arising Out of PS. Case No.-508 Year-2023 Thana- DUMRA District- Sitamarhi

1. Smt. Kushboo Kumari (Rasalpur PACS Chairman) Wife of Ganpati kumar R/o Vill. - Rasalpur, P.S. - Dumra, Dist. - Sitamarhi.
2. Smt. Nagina Kumari Wife of Ajay Kumar (Rasalpur PACS Manager) R/o Vill. -Arifpur, Bajitpur, Dharmwana, Ward no. 12, P.S. - Dumra, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. N.K. Agrawal, learned Senior counsel for the petitioners and Mr. Anil Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest connection with Dumra P.S. Case No. 508 of 2023, dated 20.10.2023 registered for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code which corresponds with 316(2), 316(5), 318(4) of the BNS.

3. Allegation against the petitioners is that they have defalcated paddy amounting to Rs. 71,13,986.95 (Rupees Seventy One Lakhs Thirteen Thousand Nine Hundred Eighty Six and Ninety Five Paise) for 3445.03 quintals of paddy.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedents and they have been falsely implicated in the present case. As per allegation in the F.I.R., the petitioners being a PACS Chairman and PACS Manager have defalcated 3445.03 quintals of paddy worth Rs. 71,13,986.95 (Rupees Seventy One Lakhs Thirteen Thousand Nine Hundred Eighty Six and Ninety Five Paise). Learned counsel for the petitioners submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. Although after lodging the F.I.R., the petitioners have deposited Rs. 13,71,000/- (Rupees Thirteen Lakhs and Seventy One Thousand) in the loan account of Rasalpur PACS in the Central Cooperative Bank, Sitamarhi Main Branch bearing A/c No. 000115003100003.

5. Learned Senior counsel for the petitioners on instruction fairly submits that the petitioners are ready to deposit the remaining amount of Rs. 57,42,986.95 (Rupees Fifty Seven Lakhs Forty Two Thousand Nine Hundred Eighty Six and Ninety Five Paise) in six equal monthly installments within a period of six months.

6. Learned APP for the State has no objection in this regard.



7. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 508 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(i) The petitioners shall deposit first installment of the rest amount by way of demand draft in favour of Bank Loan Account at the time of furnishing bail bond and the rest amount shall be deposited in five equal installments within next five months and if the petitioners fail to pay the aforesaid amount to the Bank Loan Account within the aforesaid period, the Central Cooperative Bank shall be at liberty to move before the appropriate forum for cancellation of the bail bonds of the petitioners.

(ii) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the



Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(iii) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

