

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84048 of 2025

Arising Out of PS. Case No.-402 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Savita Devi, Wife of Birju Bhagat @ Sujit Sah, D/o Upendra Sahani, R/o
Village- Pakri Dih, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raja Ram Mishra, Advocate
For the State	:	Mr. Rabindra Kumar, APP
For the Complainant / Informant :		Mr. Pankaj Kumar Sinha, advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner, learned counsel
for the complainant and learned APP for the State.

2. The petitioner has prayed for bail in connection with
Bibhutipur P.S. Case No. 402 of 2024 registered for the offence
punishable under Sections 409, 420 and 120B of the Indian Penal
Code.

3. The case of the prosecution, in short, is that the
complainant and the petitioner both are husband and wife. Both
have received Rs. 40,000/- each towards Pradhanmantri Awas
Yojna. The case of the complainant is that the petitioner has
embezzled his Rs. 40,000/- and has remarried someone.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. The petitioner and the complainant are wife and husband.
There is matrimonial dispute between the parties. It is a simple



dispute where the wife has withdrawn cash from the account of her husband. Petitioner is a lady. She is having no criminal antecedent and she is languishing in judicial custody since 03.08.2025.

5. Learned APP appearing for the State and learned counsel for the complainant have vehemently opposed the application for bail.

6. On being asked whether the complainant has divorced his wife, the petitioner, the learned counsel for the complainant has stated that though he has filed divorce but till today no decree of divorce has been passed in his favour, as such, the marriage between the parties is subsisting.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 402 of 2024.

(Ashok Kumar Pandey, J)

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