IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5047 of 2026

Arising Out of PS. Case No.-207 Year-2016 Thana- BIHARIGANJ District- Madhepura

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1. Madhvendra Jha Son of Late Krishnanand Jha Resident of village- Majharpatti, Ps- udakishunganj, Dist- Madhepura
2. Kiran Devi @ Kiran Jha wife of Dushyant jha Resident of village- Majharpatti, Ps- udakishunganj, Dist- Madhepura
3. Jawahar Mandal son of Kamleshwari Mandal Resident of village- Majharpatti, Ps- udakishunganj, Dist- Madhepura
4. Anil Kumar Mehtar son of Baleshwar Mehtar Resident of village- Majharpatti, Ps- udakishunganj, Dist- Madhepura
5. Shashi Shekhar Mishra son of Late Sukhi Mishra @ Late Sokhi Mishra Resident of village- Lagma, Ps- Sonbarsa, Dist- Saharsa
6. Kumod Devi Wife of Late Sokhi Mishra Resident of village- Lagma, Ps- Sonbarsa, Dist- Saharsa
7. Ravindra Nath Acharya son of Vishwanath Acharya Resident of village- karama, Ps- Puraini, Dist- Madhepura
8. Sati Nath Jha son of Indu Shekhar Jha Resident of village- Mahisi, Ps- Mahisi, dist- Saharsa
9. Bharti Wife of Amit Kumar Mishra Resident of village- Birpur, Ps- Birpur, dist- Supaul At Present Residing at Naya Bazar, Ward no. 3, Dist- Saharsa
10. Kanaklata Kumari Wife of Brajesh Thakur Resident of village- Sipahi tola, Purnea, Ps- Madhubani, dist- Purnea at Present Residing at Daughter of Ravindranath Acharya Resident of village- Karama, Ps- Puraini, dist- Madhepura
11. Vijay Kumar Pathak @ Vijay pathak Son of Vishambhar Pathak Resident of village- Murli, Ps- Raghopur, dist- supaul At Present Residing at Badarpur Badar, Gali No. 20, G No. 54, Malarband Extension, Jaitpur, South Delhi 110044

... ... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar School Examination Board Budh Marg Patna through its Secretary

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3. The District Programme Officer(Secondary Education) Madhepura

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 29-04-2026 1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Bihariganj P.S. Case no. 207 of 2016 registered under sections 465, 467, 468, 471, 472, 420 and 120B of the Indian Penal Code.

3. At the outset, it is submitted by learned counsel for the petitioners that the petitioner no.1 Madhvendra Jha having expired during pendency of the instant application, he seeks permission to withdraw the application so far as he is concerned.

4. In view of the above, the application, so far as petitioner no.1 Madhvendra Jha is concerned, is dismissed as withdrawn.

5. As per the prosecution case, the petitioners who are said to be the members of the Managing Committee of

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Udayanacharya Vidyakar Kavi Inter College, Karama in the district of Madhepura are said to have taken admission of 555 students in the session 2015-17 inspite of cancellation of the affiliation of the college.

6. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case only for the reason that at the relevant time they were the members of the managing committee. Though the affiliation of the college was cancelled, however the same was challenged by the college in C.W.J.C. no. 18737 of 2016 which stood allowed by order dated 9.10.2017 (Annexure-P/2). Leaned counsel further submits that as per the instructions received, no further steps have been taken. The petitioners have no criminal antecedent and undertake to cooperate in the investigation/trial.

7. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioners have approached this Court in an FIR registered in the year 2016 after 10 years without any explanation for the delay.

8. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. and specially the petitioners not having approached this Court for as long as ten years, in the facts of the case, the Court is not

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inclined to enlarge the petitioner nos.3, 4, 5, 7, 8 and 11 on anticipatory bail and their application is rejected.

9. In the facts and circumstances of the case, taking into consideration the nature of allegation and the petitioners being ladies, it is directed that the petitioner nos.2, 6, 9 and 10 above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bihariganj P.S. Case no. 207 of 2016 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to satisfaction of the learned Additional Chief Judicial Magistrate, Udakishunganj, Madhepura.

10. In case of the other petitioners surrendering in the learned Court below and praying for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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