

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7433 of 2026

Arising Out of PS. Case No.-167 Year-2025 Thana- BARBIGHA District- Sheikhpura

1. Rakesh Kumar @ Rakesh Singh S/O Surendra Singh Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar
2. Paro Devi W/O Lagan Bind Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar
3. Soni Devi W/O Abhishek Kumar Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar
4. Nagina Paswan S/O Muthli Paswan Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar
5. Mamta Devi W/O Balram Singh Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar
6. Umesh Yadav S/O Binda Yadav Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar
7. Tuntun Kumar S/O Jiyantar Singh Resident of vill.- Pinjari, P.S.- Barbigha, Dist.- Sheikhpura, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Barbigha P.S. Case No. 167 of 2025, filed on 09.09.2025, for the offences punishable under Sections 316(5), 318(4) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, an FIR has been lodged



against 11 named accused persons, including the present petitioners. An allegation of defalcation of Rs. 1,54,25,794/- (Rupees One Crore Fifty Four Lakh Twenty Five Thousand Seven Hundred Ninety Four) has been made towards the defalcated quantity of paddy, i.e., 6634.75 quintals.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that they are making every effort to deposit the same and seeks two months' time from this Court, stating that within two months the said amount shall be deposited. Counsel further submits that, out of the said amount, a certain portion has already been deposited by the President of Pinjri PACS, namely, Nirmala Devi. Counsel also submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State vehemently opposes the prayer for bail.

6. In the facts and circumstances of the case, let the petitioners above named be released on **provisional bail**, in the event of his arrest or surrender before the Trial Court within the period of four weeks, on furnishing a bail bond of ₹30,000/- (Rupees Thirty Thousand Only) each in terms of Section 2(1)(d) of the BNSS, 2023, to the satisfaction of the Chief Judicial



Magistrate, Sheikhpura, in connection with Barbigaha P.S. Case No. 167 of 2025, subject to the conditions laid down under Section 482(2) of the BNSS, 2023 with further condition:-

“The provisional bail shall be confirmed within three months thereafter only if the accused are in a position to produce documents before the Trial Court showing that the said defalcated amount, i.e., Rs. 1,54,25,794/- (Rupees One Crore Fifty Four Lakh Twenty Five Thousand Seven Hundred Ninety Four) has been deposited before the concerned authority. After verifying the said documents and also verifying that some portion has already been deposited, the Trial Court shall confirm the provisional bail of the petitioners. In case of failure to comply with the above condition, the provisional bail granted to the petitioners by this Court shall be cancelled.”

7. Accordingly, the present bail application is hereby disposed of.

(Dr. Anshuman, J.)

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