

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21462 of 2026

Arising Out of PS. Case No.-5 Year-2026 Thana- MOTIHARI TOWN District- East
Champaran

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Deepa Kumari wife of Gaurav Kumar Resident of Lal Tola (Lala Tola),
Agarwa Gali No.-1, P.S.- Town Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-04-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 316(2),
318(4), 338, 336(3), 336(4), 352, 351(2) and 3(5) of the B.N.S.,
2023.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and us a woman and
the informant alleges that he owns Medoc Drug Agency at
Motihari and Gaurav is an employee, who handled purchase and
sale of drug, further Gaurav in connivance with his father,
brother, wife (petitioner) and unknown staff misappropriated



nearly Rs.6 to Rs.7 Crore in purchase and sale of medicine and in 2025 opened a drug agency in the name of his wife i.e. petitioner, further Gaurav and petitioner from March, 2025 till May, 2025 transferred money from informant's business by creating fake bill for medicine without purchasing, next alleges that Gaurav would deposit money in Ayush Drug Pharmaceutical Company of his brother Ankit and then used to transfer reduced amount back in the informant's company, further Gaurav had taken a loan of Rs.87 lacs from the informant and the same has not been repaid and presently Gaurav is in jail in connection of a loot case.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant being wife of Gaurav. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of the allegation of misappropriation of money is alleged against Gaurav, as far as petitioner is concerned, the allegation against her is general and omnibus in nature. It is also submitted that petitioner is running a drug agency in the name of Om Enterprises which is giving competition to the informant, as such petitioner also came to be implicated in the instant case only to coerce her into submission.



5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner. The learned counsel appearing on behalf of the informant submits that the amount which was credited in the account of Om Enterprises from the company of the informant was repaid by the petitioner by issuing cheques but then from perusal of the cheques, it would manifest that the informant even signed the cheques incorrectly as she has signed the cheque by the name Roma Kumari, instead of Deepa Kumari, on which, the learned counsel appearing on behalf of the petitioner submits that if what has been submitted by the learned counsel appearing on behalf of the informant is a correct fact, in that event, the informant ought to have instituted a separate case against the petitioner for the said offence. It is also submitted that it does not appear probable that petitioner would have issued cheque to the informant in the name of Roma Kumari and the informant would have kept the cheque with himself. It is submitted that had it been a correct fact, in that event informant would have immediately resorted to a criminal proceeding. Learned counsel for the petitioner next submits that if privilege of anticipatory bail is granted to the petitioner, the petitioner may not abscond rather will cooperate in the



investigation to prove her innocence.

6. After hearing the learned counsel for the parties, the petitioner above-named, in the event of her arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Motihari Town P.S. Case No.05/2026, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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