

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25216 of 2026

Arising Out of PS. Case No.-27 Year-2021 Thana- DHIBRA District- Aurangabad

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1. Dharmendra Kumar S/o- Laxman Ram Village- Bedhana PS- Dhibra District- Aurangabad
 2. Sujata Kumari W/o- Dharmendra Kumar Village- Bedhana PS- Dhibra District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mr. Rakesh Singh, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 Heard Mr. Krishna Pd. Singh, learned senior counsel
for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered under Sections 420, 406, 34 of the Indian Penal Code.

3. Petitioner along with one Sujata Kumari are said to have committed embezzlement of the government money.

4. Learned senior counsel for the petitioners submits, at the outset, that the petitioners had approached this Court earlier for regular bail vide Cr. Misc. No. 39733 of 2022 which was disposed of vide order dated 21.11.2022(Annexure-1) considering the same to be infructuous permitting the petitioners to withdraw on account of the fact that the petitioners were granted bail under the provisions of Section 167(2) of the Cr.P.C. It is further submitted



that in the meantime, investigation was concluded, charge-sheet was submitted and cognizance was taken under additionally under section 409 of the IPC, although earlier also the case was lodged under non-bailable Sections being 406, 420 of the IPC. Learned senior counsel submits that merely on addition of another section will not make the earlier bail granted to him ineffective.

5. After hearing the learned senior counsel for the petitioner and perusing the records, this Court does not find that the petitioner has any apprehension of arrest and the order of the learned Court of the Additional Sessions Judge also does not indicate that the petitioner has misused the privilege of bail earlier granted.

6. In such view of the matter, the present application for anticipatory bail is found to be not maintainable before this Court. However, it is made clear that in case, there is any warrant of arrest against the petitioner and if he surrenders before the court concerned, the order may be passed in accordance with law.

7. The present application is, accordingly, disposed of.

(Soni Shrivastava, J)

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