

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71273 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- NAUHATTA District- Saharsa

Kapilesh Kumar S/O Janardan Prasad Singh R/o Vill.- Dharhara, Ward No.02,
P.S - Nauhatta, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-02-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Nauhatta P.S. Case No. 142 of 2024, registered for the offences punishable under Sections 406, 409, 34 of the Indian Penal Code.

3. The allegation against the petitioner is of furnishing wrong documents in favour of the so called beneficiaries and thereby allowed flood relief amount to them in collusion with the Circle Officer, Nauhatta and the Revenue Karamchari, which led to institution of the FIR.

4. Learned Advocate for the petitioner referring to the FIR contended that after proper enquiry and verification, the flood relief amount, which was given to the ineligible persons, the same has been recovered. Moreover, in the FIR there is no



omnibus accusation that the petitioner and others have extended undue benefit to ineligible persons; besides specific accusation has been levelled against the State officials. The petitioner along with five other persons are said to be brokers, who were involved in getting the flood relief amount in favour of some ineligible persons.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner along with others in collusion with each other succeeded in getting undue benefit of flood relief in favour of ineligible persons.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the omnibus nature of allegation, coupled with the fact that during the course of enquiry, the name of the ineligible persons were identified and the process has been issued to recover the amount, besides the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



the learned Chief Judicial Magistrate, Saharsa in connection with Nauhatta P.S. Case No. 142 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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