

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72477 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- TURKAULIYA District- East Champaran

Rabban Ali Son of Dr Salim @ Salimuddin @ Salim R/o Village- Senwariya,
P.S.- Tujrkauliya, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 46 of 2025 dated 29.01.2025
registered for the offences punishable under Sections 316(5),
318(4), 337 and 336(3) of the B.N.S.

3. As per the prosecution case, the petitioner and one
another has misappropriated of sum of Rs. 2,53, 623/- when
they were posted as Panchayat Secretary.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case and no misappropriation has been done during his tenure. It
has next been submitted that while the petitioner was posted as
Panchayat Secretary, the said issue was never raised and only



when he was transferred, the issue of misappropriation was raised and the F.I.R. was lodged. Learned counsel has drawn the attention towards Annexure-P/2 whereby it would be evident that the ward member's wife namely, Mophida Begam deposited so called defalcated amount of Rs. 2,53,623/-. It has next been submitted that as on date, there is no misappropriation of any amount though the same had been deposited within the tenure when the petitioner was in custody. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 25.05.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 46 of 2025, subject to the following terms and conditions :-

(i) One of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present



before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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