IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16620 of 2026

Arising Out of PS. Case No.-46 Year-2025 Thana- Mehsoul District- Sitamarhi

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1. Sushma Kumari @ Sushama Kumari W/O Jay Kishore Singh @ Avinash Kumar R/O Village- Kamaldah, P.S- Bathnaha, District- Sitamarhi.
2. Jai Kishore Singh @ Avinash Kumar S/O Late Ram Padarath Singh R/O Village- Kamaldah, P.S- Bathnaha, District- Sitamarhi.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ravi Ranjan, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP
Mr.Ayush Kumar, Adv.for Informant

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 20-08-2026 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a complaint case punishable for the offence under Sections 406, 420/34 of the Indian Penal Code.

3. Allegation against petitioners is that they induced informant for providing job to his son for the post of Dresser and on this assurance, informant paid Rs. 2,08,000/- through NEFT in their bank account and also paid Rs. 3.5 lakhs in cash, thus total Rs. 5 lakhs 58 thousand was paid by informant, but neither any job was provided to informant's son nor alleged money was returned to informant.

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4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence. Petitioner no. 1 is posted as ANM and wife of petitioner no. 2, who runs a pathology clinic and have got no concern in the concerned matter. However, without admitting the guilt, learned counsel for the petitioners submits that petitioners are ready to refund the admitted amount of Rs. 2,08,000/-, received in bank account, for which, learned counsel for the informant does not oppose.

5. In the facts and circumstances of the case, let the above named petitioners, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Mehsaul P.S. Case No. 46 of 2025, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the B.N.S.S. with further following conditions:

> "(A) At the time of furnishing bail-bonds, the petitioners shall refund **Rs. 2,08,000/-** (two lakhs & eight thousand) through Bank Draft in favour of Mahendra Rai (informant).
>
> (B) If petitioners fail to comply the direction of

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this Court, the learned Court below would be at liberty to cancel the bail-bonds of the petitioners.”

6. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail of petitioners without going into the merit of the case.

(Prabhat Kumar Singh, J)

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