

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.69227 of 2025**

Arising Out of PS. Case No.-651 Year-2023 Thana- GAYA KOTWALI District- Gaya

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Neha Kumari @ Neha Kumari Gupta D/O Late Premchand Gupta, W/o Manjeet Kumar Resident of Mohalla- Kabirbag Makhlotganj, P.S- Kotwali, District- Gaya, At present R/o Mohalla - Chhoti Rukanpura Jagdeopath, P.S.- Hawai Adda, Distt.- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY  
ORAL ORDER**

2 26-09-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. Petitioner apprehends her arrest in connection with Kotwali P.S. Case No. 651 of 2023 registered for the offences under Sections 406, 420 and 34 of the I.P.C.

3. As per the prosecution case, the father of the informant had died in the year 2019 and it is alleged that his sister, namely, Neha Kumari (petitioner), his brother and nephew have all embezzled money from the account of his late father. It has further been alleged that they had opened a forged account in the name of the informant's late father and fraudulently made certain transactions.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on account of the fact that there is some dispute with regard to the properties of the father of the informant. It has been submitted that earlier the petitioner had also lodged an F.I.R., being Kotwali P.S. Case No. 245 of 2023 on 03.04.2023, against the informant and his wife and it was in retaliation to the same the wife of the informant also lodged a counter-case, being Kotwali P.S. Case No. 246 of 2023. It has further been submitted that no offence as stated has ever occurred and in this regard an affidavit sworn by the mother of the petitioner has been brought on record by Annexure-P/3 wherein she has stated that it is the informant, Sanjay Kumar, who is trying to occupy the property of her late husband illegally. It has lastly been submitted that the petitioner has one criminal case against her that too was filed by the wife of the informant.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Kotwali P.S. Case No. 651 of 2023 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be her close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (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) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below



shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

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

**(Sourendra Pandey, J)**  
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