

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2742 of 2021

Arising Out of PS. Case No.-435 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Manish Kumar Chaudhary Alias Manish Chaudhary, aged about 38 years, Son of Suresh Prasad Chaudhary, Resident of Mohalla-Bahadurpur, Ward No.-27, P.S.-Samastipur Town, District-Samastipur, the then Assistant Post Master, Jitwarpur Sub Post Office, Jitwarpur, presently posted as Assistant Post Master, Head Post Office, Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Neeraj Kumar, Postal Inspector, Eastern Sub-Division, Samastipur, District-Samastipur, Son of Om Prakash Ray, R/o Village-Hasanpur Surat, P.S.-Patori, District-Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 05-10-2021 Heard Mr. Bijay Bhushan Prasad, the learned Advocate for the petitioner and Mr. Bharat Bhushan, the learned APP for the State.

The petitioner seeks bail in anticipation of his



arrest in connection with Mufassil P.S. Case No. 435 of 2020, dated 07.10.2020, instituted for the offences under Sections 309, 420 and 120-B of the Indian Penal Code.

It has been alleged in the F.I.R. that during the tenure of the petitioner as Postal Assistant, approximately Rs. 28,00,000/- was withdrawn fraudulently from the account of a deceased person.

It has been submitted on behalf of the petitioner that no sooner he learnt about the death of the account holder, the matter was promptly reported to the Department. An attempt was made by the petitioner to have such illegally withdrawn money deposited in the bank account of the deceased person. One of the relatives of the deceased person refused to deposit Rs. 9,00,000/-. However, the petitioner could manage to make one Dharmendra Kumar, an agent, to return maximum amount which was fraudulently withdrawn.

Whatever was the balance amount, it has been submitted, was deposited by the petitioner under protest but subject to his rights and contentions later.



Considering this aspect of the matter, this Court, on 20.07.2021, had granted provisional bail to the petitioner and had called for the case diary.

It appears from the police papers that most of the amount which is said to have been withdrawn has been deposited at the instance of the petitioner.

Considering this aspect of the matter, the provisional bail granted to the petitioner *vide* order dated 20.07.2021 is, hereby, confirmed. He shall remain on the same bail-bonds.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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