

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.11850 of 2022**

Arising Out of PS. Case No.-388 Year-2021 Thana- GANDHIMAIDAN District- Patna

Smt. Kanchan Kumari Wife Of Sri Ajay Kumar Sahani Resident Of Kautilya  
Nagar, Police Station - Shashtri Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar Singh  
For the Opposite Party/s : Mr. Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      01-09-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner is apprehending his arrest in a  
case registered for the offences punishable under  
Sections 409, 420 of the Indian Penal Code.

The prosecution case as per F.I.R is that one  
Shankar Kumar, who is the informant and son of Late  
Gita Devi has filed a complaint regarding wrongful  
withdrawal of the amount from the SB account of his  
mother. The informant alleged in the F.I.R that during  
course of enquiry in respect of the said allegation, it was  
found that account holder Gita Devi was a working lady



in Nazarat, Patna and when she was ailing, the petitioner who is a postal agent in the Patna Collectorate, Post Office, had deliberately closed the said account and withdrawn money. The closure form and withdrawal form have been written in the handwriting of the petitioner and she is involved in the aforesaid wrongful withdrawal of money.

It is submitted by learned counsel for the petitioner that prior to institution of the present case, Pirbahore P.S. Case No. 174 of 2021 was registered by the informant relating to wrongful withdrawal from the SB account of Late Gita Devi wherein the petitioner was not named as an accused. It is further submitted that petitioner has been serving as Postal Agent for the past 35 years and in such a long span of her career, she was never been implicated in such type of case.

A supplementary affidavit has been filed on behalf of the petitioner to the effect that the informant has given a statement on a non-judicial stamp that he



has already received total amount with regard to the SB account of her mother and the informant or any family member shall have no claim in future.

In the facts and circumstance of the case, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Patna in connection with Gandhi Maidan P.S. Case No. 388 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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