

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10796 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- AAYAR District- Bhojpur

Uttam Kumar Son Of Birendra Kumar Rai @ Virendra Kumar Ray R/O-
Village And P.O.- Khanet, P.S.- Pawar, District- Bhojpur @ Ara.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. M.N. Parbat, Snr. Advocate.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 26-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Aayar P.S. Case No. 54 of 2020, registered for the offence under Sections 409, 420/120B, 485/34 of the Indian Penal Code.

Huge amount was cheated in the bank and the petitioner being a bank employee has used the ID password of different persons, the use of which was not allowed to him and he has transferred money in different accounts and it has been submitted by the learned counsel for the petitioner that Rs. 1, 28,000/- was transferred in the account of the petitioner.

The bank has inquired the matter and has found the



role of the petitioner in the misappropriation of the funds and he has been terminated.

Learned counsel for the petitioner while arguing the case of the petitioner for grant of anticipatory bail has submitted that the petitioner has not done anything and he is a victim of circumstances and some other persons who had also faced inquiry with him have been let off very likely.

Sri M.N. Parvat, learned Senior counsel for the bank has vehemently opposed the prayer of anticipatory bail of the petitioner and has submitted that any employee who is working in the bank, if loses the trust of the bank and involves in misappropriation of the money kept in the bank has no right to work in the bank and the criminal actions of the petitioner disentitles him from grant of anticipatory bail.

Sri M.N. Parvat learned Senior counsel for the bank has further submitted that the petitioner has six bank accounts which casts doubt on the integrity of the petitioner and he has utilizing those account for parking the illegal funds.

Considered the submission of the parties it has been admitted by the learned counsel for the petitioner that amount of Rs. 1, 28,000/- was transferred in the account of the petitioner and dispute that the other amount has not involved in the



defalcation of other balance amount.

Any employee who is involved in misappropriation of the money of the bank, can not be granted anticipatory bail of this Court.

Considering the same, this application for anticipatory bail is dismissed.

(Sandeep Kumar, J)

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