

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63970 of 2021

Arising Out of PS. Case No.-594 Year-2018 Thana- SUPAUL District- Supaul

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SANTOSH KUMAR YADAV @ SANTOSH YADAV Son of Shri Kamleshwari Yadav Resident of Village - Kumait, P.O. - Laudh, P.S. - Supaul, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Branch Manager, State Bank of India, Main Branch, Supaul, At and P.S. and District - Supaul. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP
For the Opposite Party/s-SBI	:	Mr. Apurv Harsh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that petitioner and 15 others are said to have opened account in the State Bank of India, Supaul Branch and also obtained welcome kit which is given to new account holders, thereafter it is alleged by the Branch Manager of the Bank that petitioner and others have been defrauding people on some



pretext or the other.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he is a labourer and the allegation as alleged in the FIR is vague and cryptic as it does not state as to how the act of fraud is being committed by the petitioner and other accused persons, the learned counsel next submits that similarly situated co-accused Archana Kumari, Tribhuvan Kumar, Bechan Kumar, Sushil Chandra have been granted privilege of regular/anticipatory bail by Annexure-2 series as such the petitioner also be treated similarly.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner. The learned counsel for the informant submits that those accused were diligent and they approached the Court in time and the present petitioner at his leisure had approached the Court in 2021, it is next submitted that process under Section 82 and 83 of the Cr.P.C. may have been issued against the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that co-accused have been granted the privilege of anticipatory/regular bail, the petitioner



above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Supaul P.S. Case No. 594 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further before accepting the bail bonds of the petitioner, the learned court below shall verify as to whether process under Section 82 has been issued against the petitioner or not, in the event, if process under Section 82 has been issued then the present order shall not be acted upon.

(Satyavrat Verma, J)

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