

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20162 of 2023

Arising Out of PS. Case No.-1116 Year-2022 Thana- DANAPUR District- Patna

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AVAY KUMAR YADAV Son of Raj Kumar Yadav Resident of Sultanganj,
Near Murarka College, P.S.- Sultanganj, Dist.- Bhagalpur - 813213 Presently
Posted as Customer Relationship Manager At Ujjivan Small Finance Bank
Limited Having office at - Saguna More Branch, Danapur, P.S.- Danapur,
Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Nath Rai
For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a Customer
Relationship Manager of Ujjivan Small Finance Bank at Saguna
More Branch, Danapur. It is next submitted that the informant
alleges that she is an illiterate woman who had approached the
bank for getting her ATM card deactivated and accordingly met
the petitioner who gave her a toll free number of the bank for



getting the ATM card deactivated. It is next alleged that informant called on the said number and thereafter OTP was asked which she could not understand and thus asked the petitioner about the same and the petitioner after seeing her OTP in her mobile asked her to disclose the said OTP on the toll free number and accordingly informant furnished the OTP and later came to know that an amount of Rs. 47,998/- has been withdrawn from her bank account.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the petitioner never disclosed the toll free number of the bank to the informant, it is further submitted that even OTP comes on the mobile of the customer with which the bank account is linked. Learned counsel submits that petitioner has a blemish-less service record and will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer for eliciting the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, 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) 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 Danapur P.S. Case No. 1116 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that in the event if any application is filed by the Investigating Officer of the case that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called for, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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