

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28750 of 2023

Arising Out of PS. Case No.-424 Year-2022 Thana- DHORAIYA District- Banka

ANIL KUMAR MANDAL, SON OF SHRI PARMANAND MANDAL
RESIDENT OF VILLAGE- WARD NO. 5 MAJALISPUR, PALASI, PS-
PALASI, DISTT- ARARIA, BIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE REGIONAL MANAGER, STATE BANK OF INDIA, REGIONAL
BUSINESS OFFICE, KHANJARPUR, BHAGALPUR, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Sinha
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2023 1. Heard learned counsel for the petitioner, learned
APP for the Stat and learned counsel for the Bank.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
408, 409, 420, 120(B) of the Indian Penal Code.
3. The learned counsel for the petitioner submits that
the petitioner is a person with antecedent and the informant
alleges that the petitioner along with other 8 named accused
person misappropriated an amount of Rs.2,02,90,019/- by
unauthorized debit transactions from several SHG accounts.
4. The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the present case



being an accountant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would be manifest that at best the petitioner committed procedural irregularities and thus was not concerned with defalcation of the amount in question which was done by Late Jitendra Kumar Lal. Learned counsel further submits that the petitioner was proceeded departmentally on the said charges as alleged in the present FIR and thereafter he came to be inflicted with punishment of reduction by three stages in times scale of pay for 3 years. It is next submitted that thereafter on appeal, the said punishment was reduced to two stages for two years.

5. Learned counsel for the petitioner thus submits that even authority did not find fit case for terminating the services of the petitioner. It is thus submits that the FIR was instituted without holding any proper enquiry with regard to the alleged role of the petitioner in the occurrence.

6. Learned A.P.P. and learned counsel for the Bank both oppose the bail application and are not in a position to rebut the submission of learned counsel for the petitioner that the Bank after holding departmental proceeding did not find it a fit case for terminating the services of the petitioner.

7. Consideration 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 withing a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Dhoraiya P.S. Case No. 424 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The applications stands allowed.

(Satyavrat Verma, J)

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