

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40089 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- UCHKAGAON District- Gopalganj

KUNAL KETAN SON OF LATE RAJENDRA PRASAD RESIDENT OF
MOHALLA WARD NO. 6, BEHIND RLY PRIMARY SCHOOL, POST
AND PS - SUGAULI, DISTT - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

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

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. The informant alleges that petitioner being the
Deputy Manager in the bank transferred Rs.30,000/- in the
account of the guard from his ID Number from the account
number of his dead mother-in-law and asked the guard to give
the cash to him.

5. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is



further submitted that no doubt the act committed by the petitioner is an offence but then there is reason behind it. It is next submitted that the mother-in-law of the petitioner had taken Rs.30,000/- from the guard of the bank when she has visited the bank in absence of the petitioner and had asked the petitioner to return the amount to the guard in his account. It is also submitted that it absolutely defies all logic, wisdom and reasonable administrative behaviour that the petitioner being a bank official would have transferred the amount from the account of his mother-in-law in the account of the guard from his own ID and thus would have created evidence against himself and hence would have get implicated easily. It is further submitted that since the mother-in-law had died and the money of the guard was not returned as such the petitioner in haste committed the said mistake. It is next submitted that even the money was reverted back in the account of the late mother-in-law of the petitioner. Learned counsel thus submits that it was a mistake committed as no prudent official would commit such an occurrence which creates evidence against himself only.

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

7. 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 Uchakagaon P.S. Case No. 316 of 2022, PTN No. 3609 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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