

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41715 of 2023

Arising Out of PS. Case No.-336 Year-2017 Thana- FATUA District- Patna

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1. DEEPAK KUMAR RAI @ DEEPAK KUMAR RAY SON OF LOKNATH RAI RESIDENT OF VILLAGE - BABURBANI, P.S. - SONPUR, DISTRICT - CHAPRA
 2. KRISHAN MURARI CHAUHAN @ KRISHNA MURARI SON OF LATE MATHURA PRASAD RESIDENT OF VILLAGE - NADWAN, P.S. - BUXAR, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

4. The informant alleges that Amit who was Branch Manager of the bank in connivance with the named accused persons including the petitioners who were loan officers defalcated an amount of Rs. 45,67,000/- of the bank by disbursing fake loans to 232 persons and thereafter destroyed



the relevant documents to erase evidence.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the thrust of the allegation is against Amit and no specific allegation of committing any illegality is alleged against the petitioners. It is next submitted that even in the audit report, nothing has come against the petitioners. It is next submitted that the petitioners will not abscond rather will co-operate in the investigation and will present themselves as and when required by the Investigating Officer of the case for eliciting the truth and proving their innocence.

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

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 trial court where



the case is pending/successor court in connection with Fatuha P.S. Case No. 336 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation or are not presenting themselves as and when called for, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be also sent to the concerned Police Station through the learned Trial Court.

10. Further, it is made clear that in the event if the charge-sheet is submitted connecting the petitioners with the offence, the petitioners would be at liberty to take recourse in accordance with law and the present anticipatory bail order shall come to an end.

(Satyavrat Verma, J)

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