

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48714 of 2022**

Arising Out of PS. Case No.-471 Year-2019 Thana- BIKRAMGANJ District- Rohtas

RIKESH KUMAR YADAV Son of Bindeshwari Yadav Resident of Village -
Purshili, P.S.- Isuapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudama Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

The petitioner apprehends his arrest in connection
with Bikramganj P.S. Case No. 471 of 2019 for the offence
registered under Sections 406, 409 and 420 of the Indian Penal
Code.

As per the FIR, the Branch Manager alleged that
while the petitioner was posted there as Customer Relation
Officer and one Rajat Singh was the cashier of the Bank, one
day he handed over the key to the petitioner herein. Later, it
was detected that out of Rs. 25,04,684/-, only Rs. 5,74,584/- is
available and thus, Rs. 19,30,000/- was missing. Upon query,
the petitioner informed that Rs. 5,75,000/- has been handed over



to Priyanka Kumari, who was earlier posted as Customer Relation Officer Dehri Branch and so far as the other Rs. 19,30,000/- is concerned, it is with Rajat Singh, the other accused. As it was against the norms of the bank that the amount was with Rajat Singh who accepted that the said amount has been used by him for personal purposes, the FIR was lodged.

Learned counsel for the petitioner submits that Rajat Singh being the Cashier, he was responsible for the missing amount and the petitioner being the Customer Relation Officer had no role to play and when the key was handed over to him and later when the Branch Manager checked, the shortage came into picture, for which he cannot be held responsible.

Learned APP for the State opposes the prayer for bail and stating that there is a loss of 19,30,000/- to this bank and the petitioner cannot be exonerated of the charges.

Taking into account the fact that Rajat Singh was the cashier and further accepted the amount to have been spent by him, this petitioner do not have criminal antecedent, is ready to cooperate in the investigation and further undertakes to sit in the bank and cooperate with the bank officials also on sorting out the things, this Court is inclined to grant him the relief subject to the condition that he will be visiting the police station for next



six months every fortnight to mark his presence. He will further visit the Bank and sit with the officials as undertaken.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-2nd, Rohtas at Sasaram in connection with Bikramganj P.S. Case NO. 471 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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