

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17726 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- CHHATAUNI District- East Champaran

KRISHNA KUMAR GUPTA @ KRISHN GUPTA SON OF PASHUPATI
PRASAD R/O- W.NO-2, SURSAND PS- SURSAND DIST-SITAMARHI

... .. PETITIONER/S
VERSUS
THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s	:	Mr. Asif Kalim , Advocate Mr. Sarvadeo singh, Advocate
For the Opposite Party/s :		Mr. Prem Kumar Jha, APP
For the informant	:	Mr. Madhukar Anand , Advocate Mr. Shubham Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-04-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420, 467, 468 and 34 of IPC .

3. As per the prosecution case, all the FIR-named accused persons, including this petitioner, defalcated a huge amount after creating forged and fabricated documents and also withdrew the loan amount through ATM.

4. It is submitted on behalf of the petitioner that he



has been made accused in this case merely because of some official dispute with the informant. It is further submitted that the petitioner was the cashier in the said bank, and he has no role either in sanctioning or in distributing the PGK kit. Even in the CCTV footage, it is specified that it was customer relationship officer, Neeraj Kumar, who managed to withdraw the money through a security guard, and this petitioner had no knowledge regarding fraud committed by the then customer relationship officers, and, as such, no case is made against this petitioner as alleged in the F.I.R. Petitioner claims clean antecedent.

5. Learned counsel for the informant opposes the prayer for bail and submits that petitioner is named in the F.I.R. This petitioner being a cashier of *Ujjivan Small Finance Bank Ltd.* in connivance with other co-accused persons sanctioned a loan amount of Rs 69,36,000/- in the fake names of 122 customers. He next submits that without verifying the names of those 122 customers, they withdraw the alleged amount through ATM and defalcated the same and, as such, the present bail application is fit to be dismissed.

6. Considering the nature of accusation against the petitioner and also the fact that petitioner is named in the



F.I.R, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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