

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44914 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- SALAKHUA District- Saharsa

Baban Kumar Son of Sakal Singh R/O Vill.- Kaswa, P.o. Manjhauli, P.S.-
Salimpur Hedaiatpur, Dist.- Patna, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Sinha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2024 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 409 and
420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent, is a government
servant and has been falsely implicated in the instant case by the
informant. It is further submitted that the informant alleges that
petitioner was working as Deputy Post Master from 22.03.2021
to 19.05.2022 and it was during his tenure that misappropriation
of an amount of Rs.18,17,500/- came to the fore. Further, an
amount of Rs.11,92,500/- was first credited falsely in some
accounts in course of data transfer in the system by the
petitioner and later on withdrawn, similar activities were also



performed by other accused.

4. Learned counsel for the petitioner submits that in sum and substance, the allegation against the petitioner is that while working as Deputy Post Master he credited an amount of Rs.11,92,500/- in fake account on the plea of data transfer and thereafter the money was withdrawn.

5. Learned counsel for the petitioner submits that no doubt the allegation as alleged in the FIR appears to be serious but then the service of the petitioner has remained blemishless and it was on account of inadvertence that the said transfer took place while data were being transferred. It is further submitted that petitioner on realizing his mistake has already credited the said amount with the department of post. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

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.25,000/-



(Rupees One 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 Salkhua P.S. Case No. 356 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioner, despite giving assurance to this Court, is not cooperating in the investigation in that event the learned court below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons

(Satyavrat Verma, J)

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