

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59473 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- GOPALPUR District- Gopalganj

PREMCHANDA VIDYARTHI @ PREMCHAND VIDYARTHI, SON OF
LATE PALTAN RAM, RESIDENT OF SAREYA, WARD NO. 6, P.S.-
GOPALGANJ (TOWN), DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ARJUN KUMAR, SON OF PARMESHWAR RAM, RESIDENT OF
PURANI BAZAR, P.S.- MAHARAJGANJ, DISTRICT- SIWAN,
PRESENTLY POSTED AS, BRANCH MANAGER, RAJAPUR BRANCH,
NORTH BIHAR GRAMIN BANK, P.S.- GOPALPUR, DISTRICT-
GOPALGANJ

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Pandey, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Bank	:	Mr. Prabhakar Jha, Advocate
		Mr. Amitesh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-09-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the Uttar Bihar
Gramin Bank.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Gopalpur P.S. Case no. 141 of 2023, registered under
sections 420 and 409 of the Indian Penal Code.

3. As per the prosecution case, different loan accounts
were opened in the name of different persons and transactions of
amounts took place. It is further stated that amounts were



withdrawn from the fictitious loan accounts, however subsequently the amounts were deposited in the said accounts.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happened to be the Branch Manager of the Branch at the relevant time. Referring to the order of the learned trial Court it is submitted that that amounts have already been deposited in the respective loan accounts. The allegations pertained to period of around January, 2014, the petitioner retired from the service of the Bank on 31.7.2017 and the instant FIR has been registered only on 28.6.2023. The petitioner who has no criminal antecedent undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the Bank. It is submitted that at the relevant time when the fictitious loan accounts were opened and amounts withdrawn, the petitioner happened to be the Branch Manager of the Branch in question.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the occurrence said to have taken place about 10 years ago in January, 2014, there being no direct evidence to the effect as to



how the petitioner, who happened to be the Branch Manager, benefited out of the said transactions, the allegations relating to banking transactions, the evidence of which is primarily documentary in nature and already in possession of the authorities and in the facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gopalpur P.S. Case no.141 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Gopalganj.

(Partha Sarthy, J)

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