

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86412 of 2023

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

Niraj Kumar S/O Bishwa Bandhu Prasad R/O Vill-Dihe, Po And Ps-Maker,
Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar Pushkar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Fatua P.S. Case No. 336/2017 dated 11.08.2017 registered for the offences punishable under Sections 406, 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that Amit being Branch Manager of the bank in connivance with the named accused persons including the petitioner 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.



4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner who is only a trainee credit officer. The other co-accused persons have already been granted bail by the Co-ordinate Bench *vide* order dated 07.08.2023 passed in Cr. Misc. No. 41715 of 2023. It is further submitted that the specific allegation of defalcation is against Amit Kumar Singh and Rahul Kumar who are Branch Manager and loan provider in the Branch.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna City in connection with Fatua P.S. Case No. 336/2017, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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