

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8445 of 2024

Arising Out of PS. Case No.-175 Year-2023 Thana- BHORE District- Gopalganj

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Dharmendra Kumar Singh SON OF LATE RAMASHANKAR SINGH @
LATE RAMASHANKER SINGH RESIDENT OF VILLAGE -LOHGAJAR
PS- ASAW, DISTT- SIWAN, PRESENTLY RESIDING AT RESIDENT OF
VILLAGE- MAIRWA DHAM, PS- MAIRWA, DISTT- SIWAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE REGIONAL MANAGER, UTTAR BIHAR GRAMIN BANK,
REGIONAL OFFICE, GOPALGANJ BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vindhyachal Singh
Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned Senior 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 420, 406,
467, 468 and 471 of the Indian Penal Code.

3. Learned Senior counsel for the petitioner submits
that the petitioner has antecedent of one case and at the relevant
time when the occurrence is alleged to have been taken place,
was posted as Branch Manager in Uttar Bihar *Gramin* Bank,
Branch, Sisai. It is next submitted that the informant who is the
Branch Manager of Uttar Bihar *Gramin* Bank, Bhore branch
instituted the instant FIR based on Letter Dated 25.04.2023
received from the Regional Office alleging therein that the



petitioner and the Assistant, Jitendra Kumar defalcated and misappropriated an amount of Rs. 34,35,274/- of the customers which transpired during the audit regarding debit and credit.

4. Learned Senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner, at the relevant time, was posted as Branch Manager of the bank and during the internal audit, nothing transpired which could even remotely connect the petitioner with the offence. It is also submitted that petitioner will not abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the allegation against the petitioner is very serious in nature for the reason that being Branch Manager of the bank, it has been alleged that he defalcated/misappropriated a huge amount as recorded in the FIR of the depositors when it is the duty of the Branch Manager of a bank to ensure that the money of the depositors is well protected. It is also submitted that the investigation is still going on and in the event if anticipatory bail is granted to the petitioner, he may tamper with the evidences.

6. Considering the submissions made by the learned Senior counsel for the petitioner, the petitioner above-named, in



the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand)with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhore P.S. Case No. 175 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

8. It is further made clear that in the event if the police after investigation submits the charge sheet connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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