

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6822 of 2025

Arising Out of PS. Case No.-92 Year-2018 Thana- GWALPARA District- Madhepura

Shambhu Kumar Rajak S/o Late Acchelal Rajak Resident of Village-
Mahthawa, PO- Mahthawa Bazar, PS- Bhargama, Distt.- Araira, working as
Gramin Dak Vitrak, Gawalpara, Updakghar, Madhepur and Residing at
Gawalpara, P.S. - Gwalpara, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 12-05-2025 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Gwalpara Police Station Case No. 92 of 2018, dated
01.06.2018, disclosing offences punishable under
Sections 406/409/420/120-B of the Indian Penal Code.
3. The prosecution case, as per the First Information Report
registered on the basis of written report of Mishra Santosh
Roushan, Postal Inspector, East Sub-division, Saharsa, is
that the petitioner being the Rural Postman, Gwalpara
Sub-Post Office along with co-accused Sanjeev Kumar,
the Sub-Post Master, Gwalpara Sub-Post Office,
defalcated huge Government amount, to the tune of Rs.



2,16,76,900/-. It is further alleged in the First Information Report that the money collected by different Account Holders of the Post Office for depositing them in their respective accounts was deposited by the petitioner and co-accused Sanjeev Kumar in the accounts of their relatives and friends and same was withdrawn by them through A.T.M.. It has further been stated that till filing of the written report before the police, the petitioner along with co-accused Sanjeev Kumar have deposited a sum of Rs. 30,76,000/- in the Government Account on different dates, but still the department has incurred loss of Rs. 1,86,00,900/-.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He further submits that the petitioner is simply a Postman and it is not his duty to collect money from different account holders and deposit them in their respective account.
5. I have heard learned Counsel for the parties concerned and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order as well as the First



Information Report, it transpires that the petitioner and co-accused Sanjeev Kumar, in connivance with each other, have defalcated huge Government money, to the tune of Rs. 1,86,00,900/-, which were given to them by different account holders to deposit them in their respective accounts.

7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Additional Sessions Judge-IX, Madhepura, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.
8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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