

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6259 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- FATUA District- Patna

Rajan Kumar S/O Om Prakash R/O- Village- Churi Gali, Govindpur, P.S.-
Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Navneet Kumar S/O Satish Prasad Sinha R/O Village- Pratima Bhawan,
Anand Path, Kankarbagh, P.S- Kankarbagh, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Onkar Nath, Adv.
For the State	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Ajit Kumar Sinha, Adv.
		Mr. Ravish Mishra, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 05-08-2025 Heard learned counsel for the petitioner, learned APP for the
State and learned counsel appearing for the informant (Bank of
India).

2. The petitioner apprehends his arrest in connection with
Fatuha P.S. Case No. 237 of 2024 registered for the offences
punishable under Sections 378, 379, 406 & 420 of the Indian Penal
Code.

3. The allegation made in the FIR, which was instituted under
Section 156 (3) of the Cr.P.C. arising out of a complaint, is that the
petitioner, being a valuer of the said bank, finding the informant
absent, went inside the chamber of the Branch Manager and took
away ten documents kept in a folder related with the gold loan with
regard to which the valuation has been done by this petitioner.



4. Learned counsel for the petitioner submits that it is wrong to say that the petitioner committed any theft of documents from the chamber of the complainant and so far as the names of the beneficiaries indicated in paragraph 9 of the the complaint, it is submitted that the petitioner was not the valuer of any of these ten beneficiaries and this fact has been specifically stated in paragraph 8 of this petition which has not been specifically denied in the counter affidavit. There was no reason for the petitioner to enter into the chamber and commit theft of such documents. It is also submitted that this petitioner is not aware of any CCTV footage showing his actions of stealing away the documents. It is next submitted that the complaint was filed belatedly on 16.02.2024 for an offence which was allegedly committed on 02.12.2023.

5. Learned APP for the State and learned counsel appearing for the Bank of India, however, strongly oppose the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioner being the empanelled valuer of a nationalised bank has committed fraud and hence, he is responsible for misappropriation of public money. He substantiates his argument on the basis of the counter affidavit filed on behalf of the bank submitting that all the gold articles which was pledged in the Bank of India of which the present petitioner had done the valuation, all



those gold loan accounts became NPA and the borrowers never repaid the loan amount despite notices being sent by the bank. He also invites the attention of this Court to Annexure-R 3 series which contains an FIR i.e. Fatuha P.S. Case no. 820 of 2024 wherein besides the petitioners, the borrowers, who were the defaulters, have also been made an accused and it would be clear from a bare reading of the FIR that the petitioner had done the valuation of at least five of the customers whose accounts subsequently, became NPA and upon revaluation, it was also found that the pledged gold was found spurious.

6. Considering the facts that the petitioner has also been made accused in another FIR to which the present case is also connected and the allegation in the present case relates to even tampering of evidence and his acts have caused loss to the public money, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application is dismissed.

(Soni Shrivastava, J)

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