

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21072 of 2025

Arising Out of PS. Case No.-451 Year-2024 Thana- BANKA District- Banka

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1. Nagendra Kumar son of Late Ghuteshwar Sah Village- Jagatpur, P.S.- Banka, District- Banka
 2. Satya S. wife of Nagendra Kumar Village- Jagatpur, P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-04-2025 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Banka Police Station Case No. 451 of 2024, disclosing offences under Sections 126(2), 115(2), 132, 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyay Sanhita.

3. As per the prosecution case, on 25.10.2024, the informant, along with two bank employees, arrived at the shop of Dwarika Kumar, who was borrower of the Canara Bank, where his wife was sitting. When the informant told the wife of the borrower to pay the debt of the bank, the borrower's elder brother i.e. petitioner no. 1 and his wife i.e. petitioner no. 2 started abusing them. Upon protest, the petitioner no. 1



assaulted the informant, pressed his neck due to which he fell down and took out Rs. 7,340/- from the pocket of the informant.

4. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in the present case due to dispute regarding loan. The loan amount was being paid regularly by the borrower-Dwarika Kumar, who happens to be the brother of the petitioner no.1. She next submits that a counter case has been lodged by the side of the petitioner, bearing Banka. P.S. Case No. 450 of 2024. She produced a statement of the loan account and submits that loan was being repaid by the brother of the petitioner no. 1 regularly.

5. Learned counsel for the State has opposed the prayer for bail and submits that Branch Manager of the Canara Bank is the informant, who in discharge of services of his duty, arrived at shop of the borrower where informant and the other bank employee as well was man handled, assaulted and the money was snatched from his pocket. The statement of account shows that loan was irregular.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that petitioner no. 1 prevented the informant who is a bank manager from discharging his official duty, man handled and assaulted him, I am not inclined to grant the petitioner no. 1



privilege of anticipatory bail.

7. This application is respect of petitioner no. 1 is, accordingly, dismissed.

8. Insofar as petitioner no. 2 is concerned, she is a lady and is wife of petitioner no. 1 having no specific allegation, I am inclined to grant anticipatory bail to the petitioner no. 2.

9. This application in respect of petitioner no. 2 is, accordingly, allowed.

10. Let the petitioner no. 2, above named, in the event of her arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Banka in connection with Banka Police Station Case No. 451 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

Raj Ranjan/-

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