

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27917 of 2025

Arising Out of PS. Case No.-244 Year-2021 Thana- BANKA District- Banka

Nand Kishore Das @ Nand Kishor Das S/o- Late Ramnath Das Resident of
Village- Jhajha, Ps- Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2025 1. Heard learned 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, 408,
409 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Balram, Branch Dak Pal, Kozhi Branch Post Office
was provided with phone, SIM card and Apps along with user
ID, Balram accordingly using his ID deposited and withdrew
money as detailed in the FIR, but did not account for an amount
of Rs. 2,08,850/-, similarly it is alleged that petitioner being
Assistant Manager of Kozhi Branch of Post Office was also
given the aforesaid facilities and he also did not account for an



amount of Rs. 8,32,960/-, as such, it is alleged that the accused persons defalcated an amount of Rs. 10,41,810/- from the post office.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that allegations are in realm of allegation and the police is still investigating the case. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is an allegation against the petitioner of defalcating an amount of Rs. 8,32,960/- and the money is public money.

6. Considering the submissions made by the learned 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 Banka P.S. Case No. 244 of 2021 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 cancel the bail bonds of the petitioner.

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

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. Accordingly, the instant anticipatory bail application is allowed with the aforesaid directions.

(Satyavrat Verma, J)

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