

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29802 of 2025

Arising Out of PS. Case No.-299 Year-2023 Thana- RIVILGANJ District- Saran

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Ajay Kumar Das S/O Laxman Ram Resident of Village- Kamalpur, Police
Station- Awatarnagar, District- Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Rivilganj P.S. Case No. 299 of 2023 instituted under Sections 406/420 of the Indian Penal Code lodged on 26.09.2023 by the informant, Chandan Kumar Sah

3. As per the prosecution story, the informant, Branch Manager of Bandhan Bank alleged that the petitioner working with the Bank chose not to deposit Rs. 4,69,014/- collected from 32 customers of the Bank, out of which, 24 customers deposited on the same day (01.07.2023) and further loan account of customer, Mukesh Kumar Prasad (S. No.27) was not opened in the Branch of Bandhan Bank.

4. Learned counsel for the petitioner submits that though he was employee of the Bank, 01.07.2023 was his last



working day, only to implicate him, entire charge has been assigned to him. However, the submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to pay Rs. 4,69,014/- through Demand Draft issued by the local State Bank of India branch to be submitted before the concerned Court to be handed over to the informant, in the following manner, if granted relief:

(i) Rs.1,00,000/- at the time of execution of bail bond;

(ii) Rs.1,00,000/- on the 10th of next month, 2025;

(iii) Rs. 1,32,000/- the subsequent 10th of the month, 2025;

(iv) Rs. 1,37,014/- on 10th December, 2015.

5. Learned APP opposes the prayer submitting that on the last working day, he defalcated Rs. 4,69,014/-.

6. Considering the submissions of the parties, though case is there, the petitioner has shown his intention to pay the amount, as stated above, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to the fact that the petitioner abide



by the conditions pursuant to his undertaking relating to the payment.

7. Needless to add, the same will be subject to the outcome of the final order passed in the case.

9. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Rivilganj P.S. Case No. 299 of 2023 to the satisfaction of learned J.M. 1st Class, Saran, Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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