

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31435 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- MATIHANI District- Begusarai

1. Ajay Kumar Singh @ Pappu Singh @ Pappu S/o- Late Umakant Singh Village- Jagatpura BTPS Thermal Power Station Pawan Ramdiri-1, Ps- Matihani Dist- Begusarai
2. Mritunjay Kumar S/o- Akildev Singh Village- Jagatpura BTPS Thermal Power Station Pawan Ramdiri-1, Ps- Matihani Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Krishna Prabhat, Advocate
For the Opposite Party/s :	Mr. Parmeshwar Mehta, APP
For the Informant/Bank :	Mr. K. K. Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the Bank and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Matihani P.S. Case No. 148 of 2024, lodged on 16.11.2024, under Section 420/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against the petitioners with allegation that they have



misappropriated a some of Rs. 11,50,352/- deposited by the loanee as EMI. The petitioners are the Chairman and Manager of the PACS.

4. Learned Counsel for the petitioners submits that the allegation made in the FIR is absolutely false and petitioners are innocent and have committed no offence. Counsel submits that there is not a single document by which it can be said that money was paid to the petitioners. Counsel submits that admittedly the Banker has to pay the loan to the loanee and the said transaction of money has to be made through the Cooperative Bank and the petitioners are nowhere involved in the said transaction. Counsel submits that after argument on the previous day case-diary was called for.

5. Learned Counsel for the Bank submits that Bank has provided documents and he seeks time.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is no need of receiving the document from the Bank as the entire case-diary is available and paragraph 37 of the case-diary categorically indicates that there are 20 videos in the pan drive from which it transpires that the money had been received by the present petitioners.



7. In this view of the matter, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the prayer for anticipatory bail of petitioners is hereby refused.

(Dr. Anshuman, J)

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