

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36220 of 2025

Arising Out of PS. Case No.-616 Year-2024 Thana- CIVIL LINE District- Gaya

Purushottam Kumar Prabhakar Son of Mohan Singh Resident of Road No.- 4
Gali No.- 4A, Bhaluahi, Kharkhura Chotki Delha, P.S.- Delha, District - Gaya
(Bihar) Pin - 823002.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritanshu Dangi

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-06-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Civil Lines Police Station Case No. 616 of 2024, dated 20.11.2024, disclosing offences under Sections 319(2)/318(4)/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report lodged by Gaurav Ranjan posted in Central Subdivision, Gaya, on the post of Postal Inspector, is that on 25.09.2024, the informant got instruction from Postal Superintendent, Gaya, vide letter no. F01/2023-24, dated 07.08.2024, that a sum of Rs. 5,03,000/- has been illegally withdrawn from the recurring account no. 3900151476 and 3900154385 of the Head Post Office,



Gaya, by the petitioner and other accused persons.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the present First Information Report has been lodged after his retirement, who retired from the post of Assistant Post Master on 30th January, 2023, from the Head Post Office, Gaya. He next submits that allegation against the petitioner is that he, along with other co-accused persons, namely, Pramila Kumari and Ashish Shankar, who are counter clerks have misappropriated/defalcated a huge amount from the recurring deposits.
5. He further submits that as per the procedure in the post office, the withdrawal can also be made by the postal agents on behalf of the account holder/customers and in the present case the postal agent submitted the withdrawal form for withdrawal of a sum of Rs. 2,25,000/- and Rs. 2,78,000/- from the recurring account no. 3900151476 and 3900154385. The co-accused persons, who were sitting on the counter, compared the signature of the account-holder and said that there is slight miss-match in the signature, for which, as per the procedure, counter-



clerk recorded oath from the agent and made payment and the matter was subsequently reported to the petitioner. Since, procedure/practice of payment to the agent on behalf of the account-holder was prevalent and oath was taken by the counter-clerk from the agent, the petitioner did not raise any objection at the point of time.

6. However, the departmental proceeding has been initiated against the petitioner and other co-accused persons. The counter clerks have already deposited the defalcated amount of Rs. 5,03,000/- in the aforesaid recurring accounts on 20.08.2024 and 22.08.2024 and the same has also been informed to the Senior Postal Superintendent, Gaya, and Senior Postal Pal, Head Post Officer, Gaya.
7. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the counter clerks i.e. the co-accused persons have already deposited the defalcated amount of Rs. 5,03,000/-, the First Information Report has been lodged after retirement of the petitioner and the departmental proceeding is still going on against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
8. This application is, accordingly, allowed.



9. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate V, Gaya, in connection with Civil Lines Police Station Case No. 616 of 2024, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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