

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40255 of 2025

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

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Pramila Kumari W/o Mantoo Paswan R/o Vill.- Chhata, PS- Masaurhi,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

Mr.Abhijeet

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-07-2025 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Gaya Civil Lines P.S. Case No. 616 of 2024 dated 20.11.2024 registered under Section 319(2), 318(4), 3(5) of the B.N.S. 2023.

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. F-01/2023-24 dated 07.08.2024 that a sum of Rs. 5,03,000/- has been illegally withdrawn from the recurring account nos. 3900151476 & 3900154385 of the Head Post Office , Gaya by the petitioner and other accused persons.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. It is further submitted that both RD accounts of the complainant (Ankita Srivastava) were being handled exclusively by the agent – Vinay Kumar Sinha and the petitioner had no independent role whatsoever in the alleged withdrawals. The entire course of dealings including collection of passbooks and communication with the complainant was carried out by the said agent. He next submits that allegation against the petitioner is that she along with other co-accused persons namely, Ashish Shankar and Purushottam Kumar Prabhakar 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 withdrawal can also be made by the postal agents on behalf of the account holder / customer and in the present case the postal agent submitted withdrawal form for withdrawal of a sum of Rs. 2,25,000/- and Rs. 2,78,000/- from the recurring account nos. 3900151476 & 3900154385. The counter clerks 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 Assistant Post Master. Since procedure / practice of payment to the agent on behalf of the account-holder was prevalent and oath was taken by the petitioner and co-accused from the agent the payment was made to the agent. However, departmental proceeding has been initiated against the petitioner and other co-accused persons. The petitioner has already refunded the defalcated amount of Rs. 2,25,000/- by depositing the same to the Government account under document no. 4822981866 dated 20.08.2024 under GL Code 8844602360 and the same has also been informed to the Senior Post Master, Gaya Head Office. The balance amount of Rs. 2,78,000/- has been refunded by co-accused Ashish Shankar. The co-accused / Purushottam Kumar Prabhakar has already been granted anticipatory bail by this court in Cr. Misc. No. 36220 of 2025.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a counter clerk / counter PA at Gaya Head Office, Gaya has already deposited the defalcated amount of Rs. 2,25,000/-, departmental proceeding is still going on against the petitioner and similarly situated co-accused / Purushottam Kumar Prabhakar has been granted anticipatory bail, as such, I am



inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. V, Gaya in connection with Gaya Civil Lines P.S. Case No. 616 of 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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