

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41509 of 2025

Arising Out of PS. Case No.-2 Year-2018 Thana- DARBHANGA District- Darbhanga

Sanjit Kumar Pathak S/O Surendra Pathak R/O Vill.- Malahi, P.s.- Sursand,
Dist.- Sitamarhil.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari
For the State : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 11-12-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Darbhanga Town P.S. Case No. 02 of 2018, registered for the offences punishable under Sections 420, 406, 409, 379, 120B of the IPC.

3. As per prosecution case, on 29.12.2017, an ATM installed by NCR for Bank of India in Darbhanga, Bihar, experienced a scarcity of Rs. 6,42,500/-. An NCR employee found the PC Core missing. On 30.12.2017, on physical verification of the ATM vault, it was found that there was deficit in ATM machine.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



the present case. The petitioner is a person of clean antecedent. His further submission is that the ultimate responsibility of ATM is on NCR and not on SIS company and the petitioner is not involved in the present occurrence.

5. On the other hand, Mr. Shailendra Kumar, learned APP for the State, by drawing my attention towards paragraph 39 of the case diary and submitted that the present petitioner and co-accused Deepak Kumar Tiwari were custodian of the ATM. It has come in paragraph 53 of the case diary that the petitioner and co-accused Deepak Kumar Tiwari are accountable because ID and password was not known to any other person except these two persons. By using the ID and password, they have taken Rs.6,42,500/- from the ATM.

6. Considering the above-mentioned facts and circumstances, in my view, the petitioner does not deserve privilege of anticipatory bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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