

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59490 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Sudhir Kumar son of Ramdev Ram Resident of village- Sardah PS- Srinagar
District-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandeep Kumar Bosak S/O- Fukaru Lal Bosak presently posted as area manager Bandhan Bank, amarpur branch dist.- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Barun Kumar Singh, Advocate
For the State	:	Mr. Mohammad Sufyan, APP
For Opposite Party No.2	:	Mr. Dayanand Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 05-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 406, 420 and 409 of the Indian Penal Code.

3. As per prosecution case, there is specific allegation against this petitioner of misappropriating money by committing fraud with the customers of Bandhan Bank. It is case of the informant that this petitioner alone is directly responsible for misappropriation of Rs. 5,37,300/-, as substantiated by the records and investigative findings.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner is innocent and has



committed no offence. Petitioner is a victim of circumstances and has been dragged in this case merely because he has obeyed the orders of the Branch Manger. It is further submitted that out of the alleged misappropriated amount of Rs. 5,37,300/-, petitioner has already deposited Rs. 1,00,000/- and at this stage, without admitting his guilt, petitioner is ready to deposit Rs. 3,00,000/- (Rupees three lacs) in the Bank, in easy monthly installments. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the Bank have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No. 281 of 2024, subject to condition as laid down under Section 438(2) of the Code of



Criminal Procedure, along with the following terms and conditions:

- A. Petitioner shall deposit a sum of Rs. 1,00,000/- (One lakh rupees) through demand draft in Bandhan Bank and produce a receipt of the same at the time of furnishing bail bond.
- B. Rest amount i.e. Rs. 2,00,000/- (Rupees two lakhs) shall be deposited by the petitioner through demand draft in Bandhan Bank in six equal installments within a period of one year from the date of furnishing bail-bond.
- C. The aforesaid payment shall be subject to the final outcome of the case.
- D. If petitioner fails to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.

8. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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