IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65431 of 2025

Arising Out of PS. Case No.-691 Year-2019 Thana- CHAPRA TOWN District- Saran

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Ajay Kumar Son of Babuchand Paswan R/o Hasanpura Road, New Patna Colony, Beur, Anisabad, P.S. - Beur, Dist. - Patna.

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manoj Kumar Son of Chandradeo Prasad R/o Mohalla - Chankyapuri Raja Bazar, P.S. - Shastri Nagar, Dist. - Patna, the Branch Manager, Bihar State Cooperative Bank Limited, Chapra Branch, P.S. - Town, Dist. - Chapra

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vinay Ranjan
For the Opposite Party No. 2	:	Mr.Prashant Kumar

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 18-12-2025 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chapra Town P.S. Case No. 691 of 2019, F.I.R dated 20.11.2019 registered for the offences punishable under Sections 409, 420 and 34 of the Indian Penal Code.

3. According to prosecution case, O.P. No. 2 submitted a written report before the S.H.O., Town Police Station, Chapra, in compliance of Letters No. 4754 and 4770 dated 18.11.2019 and 19.11.2019 issued by the Bihar State Cooperative Bank Limited, Headquarter, Patna. It is alleged that on 17.11.2018, 25.01.2019 and 25.10.2019, a total sum of Rs. 78 lakhs was illegally transferred from Account No.

00115033005017 to six alleged fake accounts. It is further alleged that during the period from 20.11.2018 to 27.06.2019, the said transactions came to light, pursuant to which an enquiry was conducted by the Bank Headquarter. The enquiry allegedly revealed that the six accounts were opened using the ID of one Assistant, namely Saurav Suman, and were approved from the ID of the petitioner, the then Branch Manager. It is also alleged that cheque books of the said six accounts were issued from the ID of the said Assistant and verified from the ID of the petitioner without corresponding entries in the Branch Register. On the basis of the enquiry report, the role of Saurav Suman and one Vinod Kumar Pathak was found to be doubtful, leading to lodging of the present case.

4. Learned counsel for the petitioner submits that after disclosure of illegal transactions in the accounts in question, departmental inquiry was initiated, and after inquiry it has been held that the petitioner was Branch Head at the time of the alleged incident, but nothing is said to be found, and consequentially minor punishment was inflicted upon the petitioner by issuing warning that they should be vigilant in near future. It is next submitted that those six accounts in which the alleged transactions are said to have been made were

deactivated during the tenure of the petitioner, while the person in the branch, who had initiated with his user_id for opening the account, and the person ultimately had permitted the account to be opened have been granted bail by the Co-ordinate Bench of this Court, while petitioner in these case were only verifier, and on that strength, the petitioner seeks privilege of anticipatory bail. On the other hand, counsel representing Bihar State Co-operative Bank Ltd., Chapra on being confronted does not dispute the factual position, but only submits that this petitioner may be directed to appear in the award case, which has been initiated for misappropriated amount, under Section 48 of the Bihar Co-operative Societies Act, 1935 which has been filed against *Raj Kumar Gupta, Saurav Suman, Vinod Kumar Pathak, Prashant Kumar & Ajay Kumar* and this petitioner before Registrar, Co-operative Societies, Bihar, Patna. On the other hand, counsel for the petitioner submits that he has already appeared in the award proceedings at the Bihar Co-operative Societies.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, the other two persons, who have been initiator and passer of the

account have already been extended privilege in his favour. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 691 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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