

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68291 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- KHAGARIA District- Khagaria

Lucy Kumari Wife of Bagish Kumar Resident of Ward No.- 13 Krishna
Nagar, PS- Chitraguptnagar, District- Khagaria, Bihar- 851204

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Senior Branch Manager Bank of India, Khagaria branch, bank of india
awadh complex, khagaria, bihar-851204

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Vikram

For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-01-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the Bank Mr. Amresh Kumar.

2. The petitioner apprehends her arrest in a case
registered for the offence punishable under Sections 419, 420,
467, 471 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and in sum and
substance, the allegation is that fraudulently from the account of
DDC, Khagaria an amount of Rs.51,67, 220/- was withdrawn
through 11 cheques and credited in the account
No.462410110003610 of Shantanu Kumar and Shantanu Kumar



withdrew an amount of Rs.50,90,000/- in cash through 13 transactions, further, an amount of Rs. 24 lakhs was withdrawn from the account of Shantanu Kumar in between 28.01.2022 to 11.02.2022.

4. The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and during the course of investigation, her name transpired. It is further submitted that petitioner was posted as Clerk in Khagaria branch of Bank of India. It is next submitted that Clerks cannot pass any cheque without seeking validation of their superior authority of an amount more than Rs.50,000/-. It is next submitted that against the petitioner, it is alleged that the petitioner without seeking validation of her superior got one cheque of Rs.4,50,000/- credited in the account of Shantanu Kumar. It is next submitted that the matter was also investigated by the vigilance of the bank and the vigilance of the bank after threadbare investigation cleared the petitioner of the allegation, as would manifest from Annexure-3, at page-28 of the anticipatory bail application.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the Bank opposes the prayer for anticipatory bail of the petitioner but then the learned counsel appearing on behalf of the bank is not in a position to rebut the



submission of the learned counsel appearing on behalf of the petitioner that the vigilance of the bank has cleared the petitioner of the allegation.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Khagaria Town P.S. Case No.632/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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