

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69867 of 2024

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

Priyanka Bharti W/o Kumar Gaurav R/o Village- Dhabalpura Dhandni Belari,
Ward No.13, P.S.- Bath, District- Bhagalpur. At presently posted as Clerk at
Balua Branch (Bank of India) District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bank of India through its Sr. Branch Manager, Khagaria Branch Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-02-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State, Mr. Chandra Bhushan Prasad and the
learned counsel appearing on behalf of the Bank, Mr. Amresh
Kumar.
2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 419, 420,
467 and 471 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
is posted as Clerk in Alauli Branch of Bank of India and the
allegation in sum and substance 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withdrawn through 11 cheques and credited in the account no.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withdrew an amount of Rs. 50,90,000/- in cash through 13 transactions, further an amount of Rs. 24 Lakhs was withdrawn from the account of Shantanu Kumar in between 28.01.2022 to 11.02.2022.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. Learned counsel for the petitioner submits that the allegation against the petitioner is that petitioner transferred an amount of Rs. 9,10,264/- in the account of Shantanu Kumar without obtaining double cancellation in the cheques, it is next submitted that it may be an administrative lapse, but no criminal liability can be fastened as no prudent person would indulge in an act by committing an occurrence which creates an evidence against himself or herself. It is also submitted that the Vigilance of the bank is also proceeding against the petitioner and the petitioner recently has become a mother on 20.12.2024 and the child is only two months old and requires attention of her mother, it is further submitted that the petitioner will not abscond rather will co-operate in the investigation being conducted by the police to prove her innocence and will also participate in the inquiry being conducted by the Vigilance branch of the bank.

5. Learned APP for the State and the learned counsel appearing on behalf of the Bank oppose the prayer for



anticipatory bail of the petitioner.

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 trial court 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 P.S. Case No. 632 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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