IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67338 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- BAGHA District- West Champaran

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Vikash Kumar S/O Dilip Prasad Yadav @ Dilip Yadav R/O Chandamari M.S. Collage Road, P.S.- Town Thana, District- East Champaran

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 17-11-2025 **1.** Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 316(2), 316(5), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that Fincare Small Finance Bank Ltd. was merged with AU Small Finance Bank Ltd. on 1-4-2024 under merger scheme, further on internal verification it was found that certain former employees in collusion with business partner Yuvraj, misused their official position and misappropriated loan amounts sanctioned to the account holders, next alleges that Ravi, a former Centre Manager, defalcated GP loan amount sanctioned to Reena, Meera, Radhika by withdrawing an amount of Rs. 1,05,000/-, further Rajnish diverted an amount of Rs. 52,242/- sanctioned in the name of Srishti Devi, similarly Vikash (petitioner) received an amount of Rs. 1,19,350/- in his personal account through unauthorized loan withdrawals and transfer from the account of Khushi Kumari, further Yuvraj participated in multiple unauthorized withdrawals of an amount of Rs. 2,00,000/- by using thumb impression and fake signature of GP members, further Yuvraj admitted in writing of using AEPS and internal registers to divert funds for personal gain and transferring amount to former employees in breach of banking rules.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, being Zonal Manager of the Bank. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of the allegation of committing fraudulent withdrawal is against Yuvraj, who is alleged to be a business partner. It is further submitted that as par as the petitioner is concerned against him it is alleged that an amount of Rs. 1,19,350/- was credited in his personal account through unauthorized loan withdrawal and transfer from the the account of Khushi Kumari. It is submitted that it appears that the said amount was inadvertently credited in the account of the petitioner. It is next submitted that no prudent persons would have allowed the amount to be credited in his account being aware that the same would amount to creating evidence against himself. It is further submitted that petitioner was completely unaware that an amount of Rs. 1,19,350/- was credited in his account. It is submitted that petitioner after being aware that illegally some amount has been credited in his account, he requested the bank authorities to transfer the said amount in the account from where it had come, but then the authorities were of the view that the same cannot be done as the amount was credited from unauthorized account. It is also submitted that petitioner is willing to return the amount of Rs. 1,19,350/- provided the bank allows him to deposit the same amount.

5. Learned A.P.P. for the State opposes 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 his 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. 50,000/-

(Rupees Fifty 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 Bagaha P.S. Case No. 55 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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