

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67174 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- DARBHANGA District- Darbhanga

Madan Prasad S/o Gorakh Prasad Resident of Naka No. 2, Mansar Colony,
P.S.- Town, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-10-2025 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar, 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 BNS.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that accused persons withdrew an amount of Rs.12,81,174/- from the PPF account of Krishnanand Jha in between 30.07.2021 and 06.08.2021, when Krishnanand Jha had died on 07.03.2014. Further, the withdrawn money was deposited in a fake Saving Bank Account and withdrawal slip was also found fake and the money was withdrawn from the ID of Jitendra Kumar Upadhyay and Dinesh Kumar.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner, at the relevant time, was the Assistant Postmaster of Darbhanga Post Office. It is next submitted that allegation against the petitioner is that he allowed the withdrawal slip without verifying the same. It is also submitted that petitioner was posted as the Assistant Postmaster and a lapse might have been committed but then it was not intentional. It is submitted that no prudent person would commit an occurrence where he creates evidence against himself. It is further submitted that petitioner was completely unaware that occurrence of the nature as alleged in the FIR ever took place and it was only four years after the occurrence that the petitioner was directed by the superior authority to deposit an amount of Rs.4,74,947/- and the petitioner in compliance of the same deposited the amount. It is next submitted that petitioner has been subjected to departmental proceeding and charge memo has been served. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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, let 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.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 Darbhanga Town P.S. Case No. 128 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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