

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66267 of 2025

Arising Out of PS. Case No.-550 Year-2023 Thana- COMPLAINT CASE District- Lakhisarai

Gautam Kumar Jha S/o Awadh Kishore Jha R/o Village - Khaira, P.S - Piri Bazar, District - Lakhisarai The then Branch Manager of Gramin Bank, Jogpur, Khaira, P.S - Piri Bazar, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shankar Kumar S/o Late Janardan Pandey R/o Village - Khaira, P.O - Kajnee, P.S - Piri Bazar, District - Lakhisarai
3. Bank Manager, South Bihar Gramin Bank At- Jogpur, Khaira P.S.- Piri Bazar, Dist.- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mayank Bilochan, Advocate
For the State	:	Mr.Jitendra Kumar Singh, APP
For o.p. no.2	:	Mr. Vinay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-12-2025 Heard Mr. Mayank Bilochan, learned counsel for the petitioner and Mr. Vinay Kumar, learned counsel for opposite party no.2 as also Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Complaint Case No. 550 of 2023 instituted under Sections 420, 406, 120(B) of the Indian Penal Code.

3. Earlier, the present Bank Manager, South Bihar Gramin Bank was noticed, validly served but there is no appearance.

4. As per the prosecution story, the complainant



alleged that he inherited a piece of land being *Pujari* of the Mahavir Mandir (Khata No. 1256, Khesra No. 3613, Suryagarha Circle, Mauja- Vishnupur) by one Shanichar Modi in the year 1970. After his death, the complainant became the *Pujari* of the temple. Subsequently, 21 decimal of the said land was acquired by the National Thermal Power Corporation and a compensation amount of Rs. 12,23,429/- was deposited in the South Bihar Gramin Bank, Jogpur Branch. However, when he went to withdraw Rs. 1,00,000/- on 08.12.2023, it was found that there is only 38,558/- in the said account. The rest was withdrawn by the accused persons. This led to the case.

5. Learned counsel for the petitioner submits that he was then the Bank Manager, received a petition by the complainant as also the second signatory, Lal Mohan Singh for inclusion of Bhagwan Singh as the third signatory with statement that the amount can be withdrawn with the signature of two of them. Later, they saw that the complainant is siphoning of the amount and in that background, Lal Mohan Singh and Bhagwan Singh withdrew Rs. 8,00,000/- and created a fixed deposit (Annexure-5 to the petition). He further submits that in any case, he being the then Branch Manager, have limited role.



6. Earlier, the matter was heard on 17.09.2025 while issuing notice to the opposite party, the Court wanted the petitioner to file supplementary affidavit on the point:

(i) the present status of the fixed deposit of Rs.8,00,000/-;

(ii) whether the temple is registered with the Bihar State Religious Trust Board or not;

(iii) the date, month and the year when the said petition was jointly submitted by Lal Mohan Singh and Shankar Kumar.

7. A supplementary affidavit has come, according to which, the fixed deposit in the name of Shankar Kumar is still existing and naturally when the fixed deposit of Rs. 8,00,000/- was made, the left over amount will be shown in the regular account. He being the Bank Manager has no role to play in the matter but got implicated.

8. The complainant is appearing and according to him, the Bank Manager played an important role in connivance with the Lal Mohan Singh.

9. Counter affidavit of the S.D.O., Lakhisarai has also come, according to which, no temple exist on the land acquired



by him.

10. Considering the submissions of the parties as also that the petitioner was the Bank Manager at the relevant time, the money is intact in the form of fixed deposit, he do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

11. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Complaint Case No. 550 of 2023 to the satisfaction of learned C.J.M., Lakhisarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

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

(ii) the petitioner 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 bail bond by the Trial Court itself;

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

(Rajiv Roy, J)

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