

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66726 of 2025

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

Brij Bihari Lal S/o Braj Kishor Prasad R/o - Madhaur, P.O – Madhar, P.S-Ben,
District - Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Karn, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-10-2025 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad, 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 Further, the withdrawn money was deposited in a fake Saving Bank Account and withdrawal slip was also found fake and the money was withdrawn from the ID of Jitendra Kumar Upadhyay and Dinesh Kumar.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 appearing on behalf of the



petitioner submits that petitioner based on suspicion has been implicated in the instant case. It is further submitted that petitioner was posted as Postal Assistant, Darbhanga Head Office during the period 09.08.2020 to 19.05.2023 and had opened a Saving Account No. 010006056295 on 30.07.2021 in the name of Krishnanand Jha without verifying the documents. It is next submitted that no doubt a lapse was committed but then it is submitted that had the petitioner been aware that Krishnanand Jha had died prior to opening of the account in that event petitioner would not have opened the account as by opening the account, the petitioner has created some evidence against himself. It is also submitted that petitioner was completely unaware that such forged transaction had taken place. It is submitted that four years after the occurrence, the petitioner was directed by the superior authority to deposit an amount of Rs.4,74,947/- and the petitioner in compliance, accordingly, deposited the amount, though it is asserted and submitted that petitioner was not involved in the occurrence. It is further submitted that petitioner has been subjected to departmental proceeding and charge memo has been served. It is next 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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