

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73504 of 2024

Arising Out of PS. Case No.-444 Year-2023 Thana- BAHERA District- Darbhanga

Sanjit Paswan @ Sanjeet Paswan Son of Baleshwar Paswan Resident of
Village - Adalpur, P.S.- Kuseswar Asthan, Distt.- Darbhanga at present
Regional Business Office SBI Laheriasarai, Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
Mr. Dewanand Tiwari, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr. Amresh Kumar Sinha, learned counsel
for the petitioner and Mr. Manoj Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bahera P.S. Case No. 444 of 2023, F.I.R. dated
01.12.2023 for the offences punishable under Sections 409,
420/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner being
Customer Associate along with CSP Operator conspired with
each other and misappropriated the bank amount of Rs.
3,34,200/- and credited in their bank account.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner was Customer Associate of SBI Branch, Benipur and as per allegation in the F.I.R, the petitioner has misused his post and credited Rs. 3,34,200/- in his bank account. He further submits that it appears from the F.I.R, that later on the petitioner has deposited the said amount of Rs. 3,34,200/- in the account of the account holders and apart from that it has come during investigation that the petitioner has deposited all the amount in question in the account of account holders.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and he has deposited the amount in question, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 444 of



2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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