IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80000 of 2024

Arising Out of PS. Case No.-171 Year-2017 Thana- SHEOHAR District- Sheohar

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1. Kunal Kumar Pathak S/o Virendra Pathak Resident of Village- Ishipur Barahat, Ps- Ishipur, Barahat, Distt.- Bhagalpur, Presently Posted as Bank Manager, Canara Bank, Pario Branch, Bihta, Police Station- Bihta, Distt. - Patna
2. Siddhant Mahapatra S/o Devvrat Mahapatra R/o vill - Namaklevar Road, P.s.- Kumharpara, Distt. - Puri (Orissa), Presently posted as Bank Officer, Canara Bank, Pario Branch, Bihta, P.s. - Bihta, Distt. - Patna
3. Dhanesh Kumar @ Dhanesh S/o Sudama Singh R/o vill - Chela, P.S. - Sandesh, Distt.- Bhojpur, Presently Posted as Cashier, Canara Bank, Pario Branch, Bihta, P.S. - Bihta, Distt. - Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the State Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 30-08-2025 Heard the learned counsel for the parties.

2. The petitioners apprehend their arrest for the offences alleged under Sections 419, 420, 468 and 120(B) of the Indian Penal Code, registered in connection with Sheohar P.S.Case No. 171 of 2017.

3. The Executive Engineer, Public Health Division, Sheohar is the informant of this case. It is alleged that someone impersonating himself as Vinay Kumar, Secretary of Public Health Department, telephoned the informant demanding Rs.

10,00,000/- showing emergency. The informant told that person that he was not able to pay the said amount. Thereafter the caller requested the informant to ask some contractor to manage the money as it was health emergency. Perceiving it to be an emergent situation, the informant contacted a contractor, namely, Manoj Kumar Singh, who asked the informant to go to his house and receive a cheque of that amount from his wife. Thereafter, the informant went to the house of Manoj Kumar Singh and received a cheque of Rs. 10,00,000/- and deposited that cheque in the account no. 1681101011429 maintained by the caller, who impersonated as the Secretary of the Public Health Department. The account in which the money was transferred was in the Branch of the petitioners. The petitioner no.1 is the Branch Manager and petitioner nos. 2 and 3 are the employees of that Bank i.e. Canara Bank, Bihta Branch.

4. The learned counsel for the petitioners has submitted that being the bankers, they maintain the accounts and they are not aware of the nature of the money which comes in the accounts in transaction. He has submitted further that the sender sent the money through R.T.G.S. which was received in the account of the caller. He has also submitted that co-accused Moti Kumar has confessed his guilt and furnished the vivid

description of the occurrence and also named the persons amongst whom the money was distributed and the petitioners have not been named in the confessional statement of said co-accused. It has next been submitted that Canara Bank conducted an inquiry in this regard and the petitioners were not found guilty.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of learned CJM, Sheohar in connection with Sheohar P.S.Case No. 171 of 2017, subject to the conditions as laid down under Section 438(2) CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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