

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10406 of 2026

Arising Out of PS. Case No.-25 Year-2024 Thana- DEV District- Aurangabad

=====

Upendra Kumar @ Upendar Saw S/O Late Shankar Saw Resident of Village-
Baratpur, Dr. Lalit Sinha Road, (Batatpur, Dr. Lalit Sinha Road) P.S.- Nagar,
Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Pramendra Kumar Singh, Advocate
For the State : Mr. Kalyan Shankar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-04-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 420 and 34
of the Indian Penal Code.

3. As per the prosecution case, informant deposited
Rs.13,000/- and 40,000/- in Cooperative Bank, Deo and
received Pawati receipt but passbook is not updated by the
cashier on the pretext that printer is not functioning properly. It
is further submitted that the deposit of Rs.13,000/- credited in
the account of the informant but Rs.40,000/- was not credited.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. Petitioner is merely a peon in the bank in



question and has got no concern with the maintenance of account or cash. Moreover, the present F.I.R. has been lodged after a lapse of more than 1 year 3 months from his earlier application before the D.M., Aurangabad. It is further submitted that prior to filing of the present case and even prior to complain filed by the informant before the D.M., Aurangabd, petitioner has lodged Deo P.S. Case No.56 of 2021 against the cashier Upendra Kumar and the police after investigation found the case true and charge-sheet has been submitted only against the cashier. The present case is result of afterthought. Moreover, during pendency of this case, branch manager of the bank, namely Praveen Kumar, has already deposited Rs. 40,000/- in account of the informant. It is further submitted that co-accused Praveen Kumar has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 21.05.2024 passed in *Cr. Misc. No. 32270 of 2024*.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the



petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Deo P.S. Case No. 25 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

