

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11035 of 2026

Arising Out of PS. Case No.-88 Year-2020 Thana- BIDUPUR District- Vaishali

Vivekanand Sharma S/o- Late Anup Lal Sharma Resident of Jyoti Academy
Rambhadra Near Durga Asthan Hajipur PS- Hajipur Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-05-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bidupur P.S. Case no.88 of 2020, registered under sections 409, 406, 420, 467, 468, 120B, 471 and 34 of Indian Penal Code.

3. As per the prosecution case, on information having been received about some defalcation, a departmental enquiry was conducted wherein it transpired that duplicate saving account had been opened fraudulently and a total sum of Rs. 18,42,811/- was transferred by the accused persons mainly Durgesh Kumar Singh, Sub-Postmaster. It further transpires that in the transfer, the password/Id of a supervisor ie the petitioner herein was used by the said Durgesh Kumar Singh.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that the petitioner happened to be the postmaster at the relevant time and using his Id, a total sum of Rs.10,47,000/- had been defalcated by way of transfer by the other co-accused persons. Referring to the contents of the supplementary affidavit filed on behalf of the petitioner and the letter dated 7.11.2025 (Annexure-P/2) of the Assistant Post Superintendent cum Public Information Officer, East Division, Hajipur of the Department of Posts, India, it is submitted that the total amount of Rs. 18,61,411/- has been deposited by the co-accused while in the departmental proceeding started against the petitioner, the same ended with the petitioner depositing the balance amount of Rs.18,600/-. It is thus submitted that neither the petitioner is in anyway responsible for the said defalcation nor in the end any financial loss has been suffered by the department. The petitioner undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that in a case of the year 2020, the petitioner has moved for anticipatory bail six years later.

6. Having heard learned counsel for the parties and



taking into consideration the nature of allegation against the petitioner in the F.I.R., the material that has transpired in course of investigation and especially the contents of the supplementary affidavit according to which the total defalcated amount is said to have been deposited together with the said letter dated 7.11.2025 (Annexure-P/2) of the Department of Posts stating that no further amount remains recoverable from any person, in the facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bidupur P.S. Case no.88 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Vaishali at Hajipur.

(Partha Sarthy, J)

Shiv/-

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

