

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31230 of 2026

Arising Out of PS. Case No.-34 Year-2015 Thana- KATIHAR NAGAR District- Katihar

Deepak Kumar Gupta @ Dipak Kumar Gupta S/o Upendra Prasad Gupta R/o
Gami Tola, PS - Katihar Town, Distt. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 28-07-2026 Heard Mr. N.K. Agrawal, learned Senior Counsel for
the petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner apprehends his arrest in connection with Katihar P.S. Case No.34 of 2015 for the offence registered under sections 406, 420, 467, 468, 471 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged that on 13.01.2015, one Md. Rauf came to the Branch to withdraw the amount in the name of Md. Abdur Rauf and requested the head cashier to make payment of Rs. 16,50,000/-. Considering him as Md. Rauf, the payment of Rs. 16,50,000/- was made. In the evening, when the register was being checked, it transpired that illegal payment has been made. Accordingly,



the Branch Manager of Punjab National Bank, Katihar lodged the FIR.

4. The investigation took place and it was found that the petitioner despite being employed there, played an important role in the release of the amount. Accordingly, he was also put in the category of accused persons.

5. Learned Senior Counsel for the petitioner submits that it was mere non-realization of allowing the wrong payment and there was no criminal negligence on his part. However, he has also been made one of the accused in the present case.

6. Learned APP on the other hand has drawn attention of this Court to show that in the year 2015 itself, the petitioner moved before Patna High Court in Cr. Misc. No. 23982 of 2015 which was dismissed for non-prosecution on 17.12.2015. Seven years later, restoration petition was filed vide Cr. Misc. No. 35533 of 2022 which was again dismissed on 13.07.2022. Instead of surrendering and seeking bail, the petitioner moved before the learned Sessions Judge, Katihar where the anticipatory bail application was rejected on 07.04.2026. Eleven years have gone and the petitioner has not even chosen to surrender and seek bail.

7. Taking into account the fact that siphoning of Rs.



16,50,000/- has been made, petitioner has been named as an accused, despite rejection of his anticipatory bail earlier, he has chosen to once again file the anticipatory bail, in that background, no relief can be extended.

8. The anticipatory bail application stand rejected.

9. The Superintendent of Police, Katihar to submit a report as to how a person who is in the list of accused since last eleven years is roaming free.

10. The report must come in next four weeks through Mr. Jitendra Kumar Singh, learned APP whose name be published in the cause list.

11. List this case on 25.08.2026 under the heading 'To Be Mentioned' to peruse the report of the S.P., Katihar.

12. Let a copy of the order be communicated to the S.P., Katihar for his/her perusal.

(Rajiv Roy, J)

Vijay Singh/-

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