

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37009 of 2026

Arising Out of PS. Case No.-6 Year-2026 Thana- Naya Bhojpur District- Buxar

Sarfu Sai @ Sarfuddin Shah Son of Rajak Shah Resident of Village- Naya Bhojpur, P.S.- Naya Bhojpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-07-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 316(2), 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that the case was directed to be put up along with Criminal Miscellaneous No. 33121 of 2026 (Seraj Quraishi @ Md. Seraj Vs State of Bihar) on the ground that in Criminal Miscellaneous No. 33121 of 2026 notices were issued and the same was received by nephew of the informant hence, a jointness application was filed. It is further submitted that informant despite receiving notice in Criminal Miscellaneous No. 33121



of 2026 chooses not to appear and contest.

4. It is next submitted that petitioner is a person with clean antecedent and the informant alleges that like him several persons have account in Bhojpur Jadid PACS (Cooperative Bank), next alleges that in 2023, when informant went to the bank to withdraw his money he was scolded and was asked to leave, further after few months, the informant again went to the bank for withdrawing his amount, but found the bank closed, thus alleges that the named accused persons including the petitioner who was a bank agent were instrumental in misappropriating an amount of Rs. 2 crores of innocent creditor.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant alleges that petitioner being agent of the bank had collected money from different investors, but then does not allege that the amount was not credited. It is further submitted that the FIR had been instituted by the informant after obtaining signature of 95 account holders, but then out of 95 account holders, there are 39 persons who do not have any account in



the Cooperative Bank and 41 persons who have signed have already withdrawn their amount as would manifest from Annexure-2 to the anticipatory bail application. It is thus submitted that this perhaps explains why informant despite receiving notice chooses not to appear in Criminal Miscellaneous No. 33121 of 2026. It is also submitted that there are 6 persons who have taken loan from the bank. It is also submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naya Bhojpur P.S. Case No. 06 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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