IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39800 of 2022

Arising Out of PS. Case No.-11 Year-2019 Thana- C.B.I CASE District- Patna

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ADITYA KUMAR SINGH Son of Late Ranjit Prasad Singh Resident of New Etwarpur, Ram Janki Path P.S- Parsa Bazar, District- Patna

... ... Petitioner/s

Versus

The Union of India through the Central Bureau , Investigation, Patna Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate
Mr. Aditya Raj Singh, Advocate
Mr. Anand Nitin, Advocate
Ms. Eashita Raj, Advocate

For the Opposite Party/s : Mr. Shashank Chandra, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

22 06-02-2026 **1.** Heard learned counsel for the petitioner and learned Spl. PP for CBI, Sri Shashank Chandra.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 120B, 409, 420, 467, 468, 471 and 477A of the Indian Penal Code and Section 13(2) r/w 13(1) (a) of the Prevention Of Corruption Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that allegation is of fraudulent withdrawal of money from SB/MIS/TD account of Patna GPO by Munna in connivance with Sujay and Rajesh Kumar Sharma, it is next alleged that an enquiry was conducted on complaint of one

Rekha received through the office of Circle Officer Patna, wherein it was alleged that some officials of the department have fraudulently withdrawn customer's money from the aforesaid account by opening saving bank account and misappropriated the Government money, further in inquiry it transpired that amount withdrawn from 39 accounts out of 40 accounts appears to be suspected, as detailed in the FIR, further as per inquiry an amount of Rs. 1,60,25,100/- has been fraudulently withdrawn by Munna using his user ID in connivance with petitioner, Sujay and Rajesh who initiated and verified the transaction by using their user ID, further an amount of Rs. 40.22 lakhs was found deposited in SB account of Rajesh and his family members, it is next alleged that no photograph of the account holder was found in the system, thus it is alleged that fraudulent withdrawals were made from MIS/TD account which were opened prior to 2000 and were lying unclaimed in the system, the said accounts were closed in between 03.05.2019 to 08.07.2019 by fraudulently opening SB Accounts in name of other holders and subsequently made joint B Accounts with TD/MIS Account, and account opening forms were also not available along with the photographs of the account holders, it is further alleged that all accounts were opened by the petitioner who was not authorized to open the account.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is next submitted that petitioner had a blemishless service record and no departmental proceeding was ever initiated either prior to institution of the present FIR or subsequent to that. It is also submitted that from perusal of the allegation as alleged in the FIR, the informant alleges that this petitioner opened the unauthorised account and also in connivance with Sujay and Rajesh helped Munna in withdrawing the amount as alleged in the FIR. It is also submitted that petitioner does not dispute the fact that he had opened the accounts, but then the accounts were opened on the direction of the superior authority, i.e., Superintendent of Posts. It is next submitted that petitioner was not even aware that the accounts which he has been directed to open are fraudulent account or else no prudent employee would have committed an occurrence of opening fradulent accounts under his signature and thus would create evidence against himself and hence would get implicated. It is further submitted that CBI during the course of investigation never felt the need of arresting the petitioner, but then charge-sheet came to be submitted based on which cognizance was taken, as such petitioner moved before this Court seeking anticipatory bail in the Year 2022 itself, but then the case remained pending before different Hon’ble Benches.

5. Learned counsel appearing on behalf of the CBI opposes the prayer for anticipatory bail of the petitioner, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioenr that CBI during the course of investigation never felt the need of arresting the petitioner and charge-sheet came to be submitted based on which cognizance was taken and thus petiitoner moved before this Court in the year 2022 itself, it is also submitted that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the trial to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/-

(Rupees Twenty Five 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 R.C. Case No. 0232019A0011 dated 9-10-2019 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioner after obtaining anticipatory bail is trying to delay the framing of charge or after framing of charge is delaying the trial in any manner, in both the conditions the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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