

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46009 of 2025

Arising Out of PS. Case No.-281 Year-2024 Thana- SAHARSA SADAR District- Saharsa

1. Brajesh Kumar S/o Bindeshwari Mehta Resident of Village-Kolasan Bazar, P.S-chausa, Dist-Madhepura
2. Priyanshu Kumar @ Priyanshi Priyadarshi S/o Harilal Mehta R/o vill - Sahuria, P.s.- Janki Nagar, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandeep Kumar Bosak, Area Manager, Bandhan Bank Amarpur Branch, Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ashutosh Kumar, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP
For the Bank	:	Mr. Brajesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-04-2026 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant/Opposite Party No. 2/Bank.

2. The petitioners apprehend their arrest in a complaint case registered for the offence punishable under Sections 406, 420 and 409 of the Indian Penal Code.

3. As per prosecution case, there is specific allegation against these petitioners that they, along with other F.I.R. named accused persons, misappropriated money by committing fraud with the customers of Bandhan Bank.



4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners are innocent and have committed no offence. Petitioners are victim of circumstances and have been dragged in this case merely because they have obeyed the orders of the Branch Manger. It is further submitted that out of the amount of Rs. 8,00,000/- which was allegedly misappropriated by these petitioners, petitioners have already deposited Rs. 4,00,000/- in the Bank and at this stage, without admitting their guilt, petitioners are ready to deposit rest of the amount allegedly misappropriated by them, amounting to Rs. 4,00,000/- (Rupees four lacs) in the Bank, in easy monthly installments. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the Bank have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, aforesaid undertaking of the petitioners and clean antecedents, provisional bail for a period of six months is granted to the petitioners from the date of furnishing bail bond.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioners be enlarged on provisional bail for a period of six months on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No. 281 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

- A.** Petitioners shall deposit a sum of Rs. 1,00,000/- (One lakh rupees) each through demand draft in Bandhan Bank and produce a receipt of the same at the time of furnishing bail bond.
- B.** Rest amount i.e. Rs. 2,00,000/- (Rupees two lakhs) shall be deposited by the petitioners through demand draft in Bandhan Bank in two equal installments within a period of six months from the date of furnishing bail-bond.
- C.** The aforesaid payment shall be subject to the final outcome of the case.
- D.** If petitioners fail to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioners.
- E.** The learned trial court shall confirm the provisional bail of the petitioners after being satisfied that the petitioners have paid the entire amount, as mentioned here-in-above.”



8. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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