IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62161 of 2026

CNR No. BRHC010880952026

Arising Out of PS. Case No.-344 Year-2026 Thana- SUPAUL District- Supaul

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Umesh Verma @ Umesh Kumar Verma S/o Lalit Prasad Verma R/o vill - Singheshwar, Ward No.11, P.S - Singheshwar, District - Madhepura, Presently working as Upper Division Clerk, District Education Officer Office, Supaul, P.S.- Supaul, Distt.- Supaul

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 64954 of 2026

CNR No. BRHC010880952026

Arising Out of PS. Case No.-344 Year-2026 Thana- SUPAUL District- Supaul

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Md. Ehteshamul Haque Son of Md. Anisur Rahaman Resident of village- Parasbanna Shahpur, Ps- Navhatta, Dist- Saharsa

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 62161 of 2026)
For the Petitioner/s : Dr Sanjay Kumar Singh, Advocate
For the State : Mr. Satyendra Narayan Singh, APP
For the Informant : Mr. Ansh Prasad, Advocate
(In CRIMINAL MISCELLANEOUS No. 64954 of 2026)
For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the State : Mr. Ajit Kumar, APP
For the Informant : Mr. Ansh Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

4 29-10-2026 Heard learned Advocates for the respective parties.

2. Considering the fact that both the applications have arisen in connection with the same P.S. case, and as such with the consent of the parties, they are being heard together and disposed of by this common order.

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3. The petitioners apprehend their arrest in connection with Supaul P.S. Case No.344 of 2026 registered for the offences punishable under Sections 318(4), 340(1), 340(2) & 3(5) of the BNS.

4. On the basis of a written report, the prosecution alleges that the petitioners, acting in furtherance of a criminal conspiracy, misappropriated government funds by creating forged and fabricated official records. It is alleged that the petitioner in **Criminal Misc. No. 62161 of 2026,** who was posted as the Officer/In-Charge, fraudulently obtained the OTP from the District Programme Officer (Establishment) and facilitated the disbursement of excess salary arrears through the treasury on the strength of forged bills. The aforesaid bills were subsequently recalled upon detection of the alleged irregularities. The prosecution further alleges that the petitioners, in connivance with co-accused Shubhankar Kumar, a Data Entry Operator, facilitated unauthorized access to the system. They are stated to have created a fictitious pay ID in the name of Raghunath Singh and linked thereto the bank account of an outsider with the intention of diverting and withdrawing government funds. It is further alleged that the petitioners had previously indulged in similar acts by facilitating the credit of

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salary arrears payable to Pawan Kumar, a Headmaster, into the bank account of one Nasima. They are also alleged to have attempted to transfer the GPF amounts already disbursed to retired teachers into the accounts of other persons involved in the alleged offence.

5. Learned Advocates for the petitioners, referring to the F.I.R., submitted that a bare perusal thereof would reveal that, upon detection of the alleged irregularity, the arrears bills were withdrawn and, as such, no amount was ultimately disbursed. It is further submitted that a joint committee conducted an inquiry into the alleged misappropriation of government funds and submitted its report, which, according to the petitioners, clearly indicates that no amount was transferred to the accounts of the petitioners. It is further contended that the allegation regarding fraudulent procurement of the OTP of the District Programme Officer (Establishment) is not substantiated by the materials on record, particularly as the petitioner had no role in the generation or transmission of the OTP or in the handling of the HRMS user ID and password. Learned Advocates for the petitioners further submitted that, upon coming to know that an amount of government money had been transferred to the bank account of the mother of the petitioner in

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Criminal Misc. No. 64954 of 2026, she had already refunded a sum of Rs. 50,00,000/-.

6. On the other hand, learned Advocate appearing for the informant, the District Programme Officer, by way of a counter-affidavit, submitted that, pursuant to a joint enquiry, it transpired that an aggregate amount of Rs. 1,29,96,164/- had been fraudulently transferred to the bank accounts of the mother, mother-in-law, and sister of the petitioner in **Criminal Misc. No. 64954 of 2026**. It is further submitted that, after registration of the F.I.R., upon the accused persons becoming aware of the proceedings, a sum of Rs. 99,39,089/- was deposited in the treasury, whereas an amount of Rs. 84,32,652/- remains to be recovered. It is further contended that the petitioner, in **Criminal Misc. No. 62161 of 2026,** allegedly prepared false and fabricated bills showing the disbursement of salary and arrears to teachers, despite the corresponding amounts having already been paid to the beneficiaries, in connivance with the other accused persons. As regards the petitioner in **Criminal Misc. No. 64954 of 2026**, it is alleged that he obtained unauthorized access to the HRMS portal through the user ID and password provided by co-accused Shubhankar Kumar, a Data Entry Operator, and after manipulating the records,

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processed unauthorized transactions. The said petitioner is also alleged to have used the maker pay ID to regenerate bills in respect of arrears that had already been settled, thereby diverting government funds to the bank accounts of persons connected with him. Learned Advocate for the informant, therefore, contended that the materials available on record *prima facie* indicate the complicity of the petitioners in the alleged crime.

7. Having considered the submissions advanced by learned Advocates for the respective parties and upon perusal of the materials available on record, particularly, the government funds were fraudulently transferred to the bank accounts of the relatives of the petitioner in **Criminal Misc. No. 64954 of 2026** in furtherance of a criminal conspiracy involving both the petitioners, this Court is not inclined to accede to the prayer for anticipatory bail. Accordingly, the prayer for anticipatory bail of both the petitioners stands rejected.

(Harish Kumar, J)

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