

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67706 of 2024

Arising Out of PS. Case No.-498 Year-2023 Thana- JAYNAGAR District- Madhubani

Bhawesh Kumar Jha @ Bhawesh @ Bhawesh Jha Son of Pramod Jha
Resident Of Village- Hisar, P.S-Khirhar, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Branch Manager, Punjab National Bank, Jay Nagar Branch,
P.S- Jay Nagar, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saurabh Raj, Adv
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the PNB	:	Mr. Suryakant Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 03-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Jainagar P.S. Case No. 498 of 2023 registered for the offences punishable under Sections 406, 420, 409, 467, 468 and 471 of the Indian Penal Code.

3. As per FIR, petitioner was working with PNB as class 4th employee/peon, who in collusion with other bank staff defalcated the amount of Rs.7,81,643 of matured F.D. of different persons/ account holder and also drawn pension amount of Rs.1,60,000/- from the account of one late Durga Devi.



4. It is submitted by learned counsel appearing on behalf of the petitioner that admittedly the petitioner was the peon of the bank. It is submitted that amount of Rs.7,81,643/- was negligently transferred to the salary account of the petitioner due to negligence of dealing assistant, which upon report to the bank manager was immediately transferred on next very day i.e., 18.05.2016 and was returned to the bank account of beneficiaries. It is also submitted that amount of Rs. 1,60,000/- was withdrawn by ATM and petitioner is implicated out of suspicion only. It is also submitted that petitioner himself is victim of circumstances as his bank account was used by some fraudulent bank staff/officials. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the Punjab National Bank while opposing the prayer of bail submitted that the amount which was transferred to the account of petitioner was returned on next very day to the concerned beneficiaries. It is fairly conceded that petitioner is class 4th employee/peon having no control over administrative



affairs of the concerned bank.

6. In view of aforesaid factual submission and by taking note of fact as the amount which was transferred to the bank account of petitioner was returned to the account of beneficiaries on the next very day, where petitioner being class 4th employee *prima-facie* not appears in position to control the administrative affairs of the bank, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Madhubani/concerned Court, where the case is pending in connection with Jainagar P.S. Case No. 498 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

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