IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73466 of 2025

Arising Out of PS. Case No.-167 Year-2024 Thana- MANSI District- Khagaria

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Arvind Kumar Yadav @ Arbind Kumar Yadav S/o Dineshwar Prasad Yadav the Khagaria District Central Co-operative Bank Limited Branch Mansi Distt.- Khagaria, at present R/o vill - Balha, P.S.- Narayanpur via Naugachia, Distt.- Bhagalpur

... ... Petitioner/s

Versus

1. The State of Bihar
2. Bablu Yadav S/o Late Rajdeo Prasad Yadav R/o vill- Khutiya, P.S.- Mansi, Distt.- Khagaria

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Adv.
For the Opposite Party/s	:	Ms. Sangeeta Sharma, APP
For the Informant	:	Mr. Ranjeet Patel, Adv.
		Mr. Avnish Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 11-02-2026 Heard learned Advocate for the petitioner, learned APP for the State as well as the learned Advocate for the informant.

2. The petitioner apprehends his arrest in connection with Mansi P.S. Case No.167 of 2024 registered for the offences punishable under Sections 467, 468, 406, 409, 120B/34 of the Indian Penal Code.

3. Based upon the complaint case, it is alleged that the complainant was a shopkeeper who used to deposit Rs.500 per day under the Daily Deposit Scheme in the Khagaria District Central Cooperative Bank Limited through one agent, namely Mithilesh Kumar. In total, the complainant deposited Rs.

4,70,176/- but the amount has not been actually deposited in the Bank and when the complainant asked for returning the amount, the same has been refused. The petitioner is said to be the Branch Manager of the Cooperative Bank.

4. Learned Advocate for the petitioner submitted that there is a specific accusation in the complaint petition that the savings account of the informant was opened on 09.06.2023, and he deposited the amount to the tune of Rs. 4,70,146/- through one agent, namely Mithilesh Kumar and, as such, the entire allegation revolves around co-accused Mithilesh Kumar. There is no whisper or any allegation that the petitioner has anyhow accepted the amount or operated the account of the complainant; rather, the fact is otherwise. The petitioner had already superannuated from the post of Branch Manager of the Cooperative Bank on 31.03.2023, much before the opening of the account of the complainant. The petitioner though bears two criminal antecedents; however, it is submitted that now he has already superannuated and he undertakes that he will fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the bail application and submitted that co-accused Mithilesh Kumar is none else but the agent, who was duly appointed by the petitioner while he was

discharging his duty as a Branch Manager and, as such, the entire amount has been defalcated in collusion with the petitioner.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that prior to the opening of the account by the complainant, the petitioner had already superannuated, and there is neither any material nor allegation against the petitioner of defalcation or of taking the alleged deposited money, let the petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria in connection with Mansi P.S. Case No.167 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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