

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.618 of 2026

Arising Out of PS. Case No.-890 Year-2021 Thana- KAHALGAON District- Bhagalpur

1. C S O Brajesh Kumar Son of Suresh Sah (E.I.N. 31480) a Resident of Village Dumina Road Mogal Bazar, Basudeopur, P.O. and P.S. - Vasudeopur, District - Munger.
2. Debt officer Nitish Kumar @ Nitesh Kumar Sinha Son of Sunil Kumar Sinha Resident of - L.I.C. Colony (Naharpar), P.O. and P.S.- Dumka, District - Dumka (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Arpana Kumari, Adv.
	:	Mr. Tejaskar Anand, Adv.
For the Opposite Party/s	:	Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 07-09-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 408, 420, 467, 468, 471/34 of the IPC.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that eight employees of Utkarsh Small Finance Bank Ltd. including the petitioners conspired among themselves and during the period from October 2020 to August 2021, systematically performed financial fraud and embezzled Rs.



39,96,501/- from 467 female loanees under different bank schemes.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that co-accused Jai Prakash Ram had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 63632 of 2023 and the same came to be allowed by an order dated 27.02.2024 passed by a learned Coordinate Bench. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that it does not disclose that as to what amounts were embezzled by the petitioners. It is also submitted that till date investigation against the petitioners is continuing and process under Section 82 of Cr.P.C. has not been issued against the petitioners. It is further submitted that even the order impugned does not record that process under Section 82 of Cr.P.C. has been issued.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Kahalgaon P.S. Case No. 890 of 2021 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that the learned Trial Court before accepting the anticipatory bail bonds of the petitioners shall verify that as to whether process under Section 82 of Cr.P.C. has been issued against the petitioners or not and if it is found that process under Section 82 of Cr.P.C. has been issued against the petitioners in that event, the present order shall not be given effect to but if process under Section 82 of Cr.P.C. has not been issued, in that event, the anticipatory bail bonds of the petitioners shall be accepted forthwith.

8. Accordingly, the application stands allowed.

(Satyavrat Verma, J)

rajesh/-

U		T	
---	--	---	--

