IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE RAMKUMAR CHOUBEY

ON THE 29th OF JUNE, 2026

MISC. CRIMINAL CASE No. 27687 of 2026

PRIYANKA GOSWAMI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Narendra Kumar Sharma - Advocate for the petitioner.

Shri Sharad Sharma - Government Advocate for the respondent/State.

ORDER

This first application under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the applicant for grant of anticipatory bail.

2. Applicant is apprehending her arrest in connection with Crime No.228/2025 registered at Police Station Dehat Narmadapuram, District Narmadapuram (M.P.) for commission of the offence punishable under Sections 318(4), 338, 336(3), 340(2) and 3(5) of BNS.

3. As per prosecution case in short is that Clustpor Head of ESAF Small Finance Bank Limited has filed an application under Section 175(3) of BNSS before the Chief Judicial Magistrate Narmadapuram against the present applicant and other co-accused persons on basis of which the offence vide Crime No.228/2025 in relation to offence punishable under Sections 318(4), 338, 336(3), 340(2) and 3(5) of BNS has been registered. It is alleged

that the applicant was an employee of the complainant Bank and working as Teller in Narmadapuram Branch of the said Bank at the relevant point of time. It is further alleged that the main accused Ompuri has caused embezzlement of an amount of Rs.53,14,955/- along with the co-accused persons including the applicant. The complainant Bank had conducted a vigilance investigation regarding the alleged scam and it was found that the present applicant working on the Teller counter was instructed by the CSM, (the main accused Ompuri) that "the customer had already been paid in the field and that the amount on the withdrawal slip should be reconciled with the day's cash collection". Vigilance investigation report explained the role of the present applicant by giving an example "if the CSM collected Rs.100/- in the field, he would deposit only Rs.70/- and instructed the Teller (present applicant) to account for Rs.30/- difference using the withdrawal slip to debit the customer account." As per prosecution the present applicant has withdrawn the amount under the instruction of CSM (main accused Ompuri) without verifying the signature of the customers on withdrawal slip and even without physical presence of the customer.

4. Learned counsel for the applicant has submitted that the applicant is innocent, she is just 25 years of young girl, was a fresh appointee in the bank and being so inexperienced to work at Teller counter of the Bank, she acted merely as per her superior officer's instructions, who is the main accused and responsible for the alleged embezzlement. It is submitted that the applicant has not received any amount and she has not forged any document, like - withdrawal-slip, etc. Further the complainant Bank has issued a letter to the

applicant calling explanation and response to that, the applicant had submitted her explanation, in which, she explained her position and circumstances under which she had acted as per the instructions of her superior officers. A copy thereof has been placed by the applicant on record as Annexure A/4. It is further submitted that the applicant has not been specifically named in the FIR and there is no specific role attributed to her. It is further submitted that the applicant is ready to cooperate with the investigation by making available herself as and when required by the investigation agency. Nothing is required to be recovered from her possession. It is further submitted that if the applicant is sent to the jail her career may be ruined. The applicant is a lady and has no criminal past. Thus, he prays for grant of anticipatory bail.

5. Learned counsel for the respondent/State while opposing the bail application submitted that the applicant was working at the Teller counter from where the money was withdrawn on the basis of the withdrawal-slips. The applicant was under obligation to verify the signature of the customers and also their physical presence while disbursing the amount. It is further submitted that the applicant and other personnel of the Bank were well aware of the said embezzlement and further facts relating thereto will be revealed after due investigation and the applicant may be required for custodial interrogation. Therefore, the applicant may not be released on anticipatory bail.

6. Undoubtedly, at first blush, this case involves a substantial embezzlement totaling Rs.53,14,955/-. However, the record reveals that the

applicant acted entirely under the instructions of her superior officers. Apparently, there is no allegation that the applicant personally received any misappropriated funds or forged any documents, including withdrawal slips. In evaluating this anticipatory bail application, the Court notes that the applicant was a 25-year-old girl, newly inducted into the complainant bank's service. The possibility that she deviated from established banking procedures due to the overwhelming influence or commands of her superiors cannot be ruled out. Seen as a whole, since the applicant did not benefit financially, did not commit forgery, and considering her age and the circumstances of her alleged involvement, this Court deems it appropriate to grant her the benefit of anticipatory bail. However, without expressing any opinion on the merit of the case, this anticipatory bail application filed on behalf of applicant stands allowed.

7. It is directed that in the event of her arrest, applicant **Priyanka Goswami** be released on bail on her furnishing a personal bond of **Rs.50,000/- (Rupees Fifty Thousand)** with one solvent surety of the like amount to the satisfaction of the Arresting Officer.

8. Applicant shall abide by the following conditions under Section 480 (2) of B.N.S.S:-

(a) Applicant shall make herself available for interrogation by a Police Officer as and when required;

(b) She shall not, directly or indirectly, make any inducement, threat or promise to complainant or witnesses;

(c) She shall not leave India without the previous permission of the

Court;

(d) She shall not commit similar offence, of which, she is accused or suspected.

(e) She will further abide by the condition enumerated in sub-section (3) of Section 480 of the B.N.S.S.

9. Accordingly, this MCRC stands allowed and disposed of.

(RAMKUMAR CHOUBEY)
JUDGE

Vin**