

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29614 of 2014

Arising Out of PS.Case No. -30 Year- 2013 Thana -MOKAMAH District- PATNA

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1. K. Mohan Das Son of Late K. Ramu, Resident of Shankaripuram, P.S.-
Hasan Karnatka Distt - Hassan (State of Karnataka) the then Sr. Manager
P.N.B., B/o- Mokama, District – Patna..... Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava
For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 13-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Mokama P.S. Case No. 30 of 2013 registered for the offences
punishable under Sections 419, 420, 467, 468, 469, 471, 472 of the
Indian Penal Code.

Allegedly, the petitioner being the Senior Manager of
the Punjab National Bank, Mokama Branch in collusion with
some middle man of the locality, sanctioned loan to several
persons to the tune of Rs. 12.44 crores and during verification it
was found that some of the borrowers are not resident of the
village as shown in their loan applications, some borrowers are
dead much before sanctioning and getting the loan from the bank
and the loan was received by fake persons and most of the

documents submitted by the borrowers were found to be forged and fabricated and in that way the petitioner cheated and misappropriated the amount of the bank under KCC loan schemes by his wrongful gain and by putting the bank in wrongful loss.

Submission is that the petitioner being the Senior Manager cannot be held responsible, as per circular of the bank recommending authority is Field Officer and not the petitioner and the petitioner disbursed as per the recommendation made by the recommending officer and the petitioner is ready to co-operate during investigation, and as such, the petitioner deserves sympathetic consideration to which the learned APP seriously opposes by submitting that the petitioner in criminal conspiracy misappropriated the huge amount.

Considering the fact that loans were granted to the farmers through Kishan Credit Card to fake persons including some dead persons as well as to the landless persons and most of the documents filed by the loan borrowers found to be fake as such, this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner. Accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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