

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42086 of 2015

Arising Out of PS.Case No. -403 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

1. Bimal Kishore Gupta S/o Late Ram Deo Gupta Presently posted as Senior Branch Manager, Syndicate Bank, Bhagalpur Branch, Situated at Patal Babu Niwas, Patal Babu Road, P.S. Kotwali, Bhagalpur, presently residing at New Shivpuri Colony, Police Station Tilka Manjhi, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.50108 of 2015

Arising Out of PS.Case No. -403 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

1. Purna Chandara Pati @ P.C. Pratik @ P.C. Parthik, son of Late A.R. Pati, resident of 102, Prasad Sadan, Frazer Road, Patna-1, presently posted as Chief Manager, Regional Office, Syndicate Bank, Maurya Lok , Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.42086 of 2015)

For the Petitioner/s : Mr. Sanjiv Kumar.

For the Opposite Party/s : Mr. Gulnar Begum(App)

(In Cr.Misc. No.50108 of 2015)

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 02-12-2015 Heard both sides.

The petitioners apprehend their arrest in Bhagalpur
Kotwali P.S. Case No. 403/2015, registered for the offences
punishable under Section 406, 409, 418, 420, 467, 468, 471, 120B,

167 and 34 of the Indian Penal Code.

The petitioner Bimal Kishore Gupta is the present Branch Manager of Syndicate Bank Bhagalpur Branch, Patal Babu Road and the petitioner Purana Chandra Pati was the then Branch Manger of the bank during whose period the limit of cash credit was enhanced from 9 lacs to Rs. 21 lacs.

The complainant/informant Ashit Kumar Das is the guarantor of the borrower Vishnu Kumar Sharma. In sum and substance the allegation against the petitioner Purana Chandra Pati the then Branch Manager and others is that he did not furnish the guarantor documents for enhancement of cash credit limit to the loanee Vishnu Kumar Sharma from 9 lacs to 21 lacs, and the document was forged by the then Branch Manger and the Loan Manager and Manager Advance.

It is submitted that Bimal Kishore Gupta is the present Branch Manager and he has no manner of concern with the enhancement of cash credit account of Vishnu Kumar Sharma.

Learned counsel appearing on behalf of the Purna Chandra Pati the then Branch Manager submits that the borrower Vishnu Kumar Sharma and Ashit Kumar Das the complainant/informant who was the guarantor of Vishnu Kumar Sharma came to the bank furnished necessary documents in presence of the then Branch Manager Advance and only then the

limit of cash credit was enhanced from 9 lacs to 21 lacs. The loanee also agreed for one time settlement. The complainant/informant (guarantor) had agreed for one time settlement of loan.

It is further submitted that complainant/informant offered for one time settlement and the proposal was accepted by the bank. The guarantor made payment of Rs. 2 lacs, but the remaining amount was not paid. Thereafter, the guarantor filed the complaint case on the basis of which present F.I.R. is lodged.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Bhagalpur Kotwali P.S. Case No. 403/15, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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