

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38238 of 2014**

Arising Out of PS.Case No. -290 Year- 2012 Thana -BAGHA District-  
WESTCHAMPARAN(BETTIAH)

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1. Bishwambhar Nath Trivedi @ Bishwambhar Trivedi @ Bishambhar  
Trivedi Son of Late Kedarnath Trivedi resident of village- Mithanpura  
Jagdishpuri, P.S.- Mithanpura, District- Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. A.K. Thakur

For the Opposite Party/s Mr. R.B.S.Pahepuri(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

04/ 31.03.2015 Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 3.6.2014 in a case  
registered under sections 409, 420, 467, 468 and 471 of the Indian  
Penal Code on the accusation that being Branch Manager of Gramin  
Bank, he sanctioned loan to the tune of Rs one crore and odd in favour  
of the forged and fictitious persons on the basis of forged documents.

The bank conducted internal enquiry and directed to lodge  
the present case.

In course of investigation, higher officials directed the  
Investigating officer to hand over the case for investigation to  
Economic offences officials but the concerned Investigating officer  
did not hand over the case and he completed investigation himself in  
respect of the petitioner and submitted charge sheet against him which

is evident from para 133 to the case diary.

It is obvious from perusal of entire case diary that in course of investigation, bank officials did not hand over relevant documents to the Investigating officer and only on the basis of enquiry report of the bank as well as oral statements of some persons submitted charge sheet in the present case.

The investigation of the case has been done by the police officials in a very perfunctory manner, particularly, in the circumstance, when very serious allegation has been made against the petitioner.

Moreover, taking note of this fact that in course of investigation, Investigating officer did not take pain to peruse the relevant documents, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Bagaha District West Champaran (Bettiah) in Bagaha (Pathkhauli) P.S. Case no. 290/2012.

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(Hemant Kumar Srivastava,J)

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