

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13383 of 2015

Arising Out of PS.Case No. -236 Year- 2010 Thana -KATIHAR District- KATIHAR

=====

Vijay Kumar Gupta

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2015

The petitioner being the Branch Manager of Canara Bank at Katihar Branch presently posted at Jammu has renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 406, 420, 467 and 471 of the IPC.

It is alleged that petitioner sanctioned loan of Rs. 8 lacs in favour of Nisar Alam and Khursid Alam where Khursid Alam stood as a guarantor but it was found that guarantor's identity was not verified when loan was sanctioned by the petitioner being the Branch Manager of the bank.

It is submitted by learned counsel for the petitioner that the loanee Nisar Alam has been granted anticipatory bail subsequent to rejection of the anticipatory bail application of the petitioner and in debt recovery proceeding, direction for recovery of the loan amount against Nisar Alam has been made.

This Court is not inclined to entertain secondary anticipatory bail application but keeping in view of the fact that loanee has been granted anticipatory bail against whom order of recovery of loan amount has been made by debt recovery proceeding, this Court finds no reason for the learned court below not to consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Katihar (Town) P.S. Case No. 236 of 2010 pending in the court of learned CJM, Katihar.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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