

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36981 of 2016

Arising Out of PS.Case No. -4 Year- 2015 Thana -C.B.I CASE District- PATNA

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Md. Tabarak @ Tabarak Hussain Son of Late Mursheed ali Resident of
Village-Ekchari, police Station - Rasalpur District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar Through C.B.I. Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Achintya Anand, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar (SC,CBI)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

7 29-11-2016 Heard both sides.

The petitioner apprehends his arrest in Special Case No. 06/2015, RC No. 04(A)/15, registered for the offences punishable under Sections 13(2) read with 13(i)(d) of the Prevention of Corruption Act.

The informant Superintendent of Police, Central Bureau of Investigation Ranchi made enquiry and found that under scheme of Kisan Credit Card the bank officials and the petitioner along with Bibhash Kumar Das and Subhash defalcated huge amount, amounting to Rs. 4,95,32,000/-. It is alleged that 107 persons were given Kisan Credit Card loan on the basis of fake Land Possession Certificate (L.P.C.). 363 persons were advanced Kisan Credit Card loan on the basis of impersonation and no such

person was found. The petitioner Md. Tabarak, Bibhash Kumar Das and Subhash were entrusted to procure the fake L.P.C., photographs and other certificates of Kisans on the basis of which the bank officials gave loan to fake persons.

Learned counsel for the petitioner submits that petitioner is neither a bank official nor a loanee. The petitioner has falsely been dragged into the case, but learned counsel for the C.B.I. in pursuance of the order dated 21.10.2016 submits that the C.B.I. requires custodial interrogation of the petitioner, as the petitioner was responsible for preparing the fake certificates, photographs and fake L.P.C. on the basis of which the bank officials without verifying the genuineness of those certificates advanced loan to the fake persons.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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