

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35235 of 2016

Arising Out of PS.Case No. -158 Year- 2009 Thana -CHHATAPUR District- SUPAUL

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Sujit Kumar

.... Petitioner/s

Versus

The State of Bihar Through The State Vigilance Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Ramakant Sharma (Law Off. Vig)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR

SAHOO

ORAL ORDER

3 05-10-2016 Heard the learned counsel for the petitioner and the learned
counsel for the Vigilance.

Perused the FIR.

The petitioner, Sujit Kumar, apprehends his arrest in Special
Case No.3 of 2011 under Section 419, 420, 409, 34 IPC and
Section 7, 8, 13(2) read with 13(1) of the Prevention of Corruption
Act.

According to the FIR, the Circle Officer lodged the FIR
alleging that various cheques being number which is given in the
FIR were forged as the Rajaswa Karmchari, Sujit Kumar, forged
the signature of informant. Various cheques were found not
available and the informant did not receive any details statement
from the State Bank of India, Chatarpur. The informant along
with accountant of the Bank found that the aforesaid cheques were
encashed in main branch Supaul, State Bank of India, Nayapur,

State Bank of India, Pratapganj and State Bank of India Koriapani and State Bank of India Chatarpur.

The learned counsel for the petitioner submitted that prior to this occurrence, the petitioner had already been transferred and that other co-accused persons had already been granted anticipatory bail and even the Circle Officer who had signed the cheques has also been granted anticipatory bail.

On the other hand, the learned counsel for the Vigilance submitted that in fact the main allegation is against this petitioner. This petitioner forged the signature of Circle Officer and then has deposited the cheques in the name of other persons and he encased the amount. According to the learned counsel, the chargesheet has already been submitted in this case.

From perusal of the order passed by the Special Judge, Vigilance 2nd, Patna, it appears that cognizance has also been taken against the petitioner finding that there are sufficient material against the petitioner. In my opinion, therefore, the case of the present petitioner against whom there is direct allegation that he forged the signature of Circle Officer and has issued the cheques, it is not a case for anticipatory bail. Therefore, anticipatory bail application is rejected.

Sanjeev/-

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(Mungeshwar Sahoo, J)