

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10025 of 2016**

Arising Out of PS.Case No. -20 Year- 2003 Thana -NARPATGANJ District- ARRARIA

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Shiv Prassan Ram @ Sudarshan Paswan S/o Late Hari Ram, R/o Mohalla-  
Neharu Nagar, P.S.- Buxar (Town), District- Buxar

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. H.A.Khan(App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3 12-05-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in Narpatganj P.S.Case No.20 of 2003 for the offences under Sections 406, 409, 420, 467 and 468/34 of the I.P.C.

Learned counsel for the petitioner submits that the petitioner was the Branch Manager of the Central Bank of India at Narpatganj, Branch.

The allegation against the petitioner is that while he was engaged there as a Branch Manager, he was sanctioning authority under Swarn Jayanti Employment Scheme. Under the said Scheme the informant and other persons had made an application for sanction of loan for purchasing cattle. Further allegation is that instead of disbursing the loan for purchasing

cattle it is said that the beneficiaries were given agricultural implements.

Learned counsel for the petitioner submits that he has now superannuated from his service and under the aforementioned Scheme he was not entitled to sanction the loan rather it was D.R.D.A. who was responsible for sanctioning loan.

Learned counsel for the State submits that some witnesses have stated that on the instruction of the Bank Manager the petitioner had called the beneficiaries and collected Rs.3000/- from each of the recipients/beneficiaries.

Learned counsel for the State submits that it has come on the record that the petitioner was one of the persons who had arranged the loan and released the payment in favour of the agricultural shop from where the articles were, in fact, not lifted but returned to the shop itself.

Be that as it may, it appears that the petitioner has now superannuated. It further appears from the materials which has surfaced in the case diary that the petitioner was not responsible for sanctioning of the loan and other members including members of the DRDA who were sanctioning authorities.

In view of the aforementioned facts and circumstances, let the petitioner, above named, in the event of his

arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Araria, in Narpatganj P.S. Case No.20 of 2003 subject to the conditions as laid down under Section 438(2) of Cr.P.C.. It is made clear that the petitioner shall himself present before the Investigating Authority and cooperate him in investigation. One of the bailers must be relative of the petitioner either wife, son, father or mother, in the present case.

**(Anjana Mishra, J)**

AnilKrSinha/-

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