

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2428 of 2015

Arising Out of PS.Case No. -23 Year- 208 Thana -C.B.I CASE District- PATNA

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Sanjay Kumar Roy S/o Late Bram Dayal Roy Proprietor of M/S Shiva International having its permanent office, 105, Gagan Apartment Exhibition Road, P.S. Gandhi Maidan, Patna.

.... Petitioner/s

Versus

1. The Central Bureau of Investigation through the Suptd. of Police, CBI, ACB, Patna.
2. The United Commercial Bank Maurya Complex, through the Zonal Manager, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalini Kant Tripathi
For the Opposite Party/s : Mr. Sanjay Kumar, SC, CBI

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-03-2017

Nobody appears on behalf of the petitioner.

Heard learned counsel for the C.B.I and learned

Additional Public Prosecutor for the State.

The petitioner has filed the quashing application against the order dated 5th March, 2010 passed in Special Case No. 17 of 2008 corresponding to Special Case No. 34 of 2011, by which learned Special Judge took cognizance under Sections 120B, 420, 467, 468, 471 of the Indian Penal Code and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act.

The petitioner is alleged to have mortgaged the property for getting cash credit limit. He also pledged some



properties for getting home loan, but on enquiry, it transpired that the properties mortgaged by the petitioner did not belong to the petitioner and after collecting all the evidences, the C.B.I submitted charge-sheet of interpolation and forgery with a view to cheat the bank.

Having considered the facts, I find that there is no apparent illegality in the order taking cognizance under Sections 120B, 420, 467, 468, 471 of the Indian Penal Code and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act.

Accordingly this quashing petition stands dismissed.

(Prabhat Kumar Jha, J)

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