

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38500 of 2014

Arising Out of PS.Case No. -143 Year- 2012 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Rana Rudra Pratap Singh son of Late Ramjee Singh resident of village -
Khamidaura, Police Station Durgawati, District - Kaimur (the Ex-Asst.
cum-Cahsier of Sasaram, Bhabua Central Co-operative Bank Ltd. Branch
Bhagwanpur, Kaimur).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Singh
For the Opposite Party : Mr. Nirmal Kumar Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

6 03-11-2017 Heard learned Counsel for the petitioner as well as the

learned Counsel for the State.

The petitioner seeks quashing of the cognizance order
dated 7.2.2014 passed by the learned CJM Kaimur passed in
Bhagwanpur PS Case No. 143 of 2012, thereby taking cognizance of
the offence under Sections 409, 420, 465, 467, 468 and 120B/34 of
the IPC.

The short fact giving rise to the case is that written
information was filed by the Branch Manager of Sasaram Bhabua
Central Cooperative Bank Limited, Bhagwanpur Branch alleging
therein that fraudulent withdrawal of Rs. Four Lakhs in total was
made by the then Branch Manager of the Bank, Sheo Pujan Pathak
and the petitioner Rana Rudra Pratap Singh, the then Assistant-cum-



Cashier of the Bank.

Learned Counsel appearing on behalf of the petitioner submits that a false case was lodged by the Branch Manager against the accused persons. In fact there is no such complaint made by the account holder Dhananjay Singh from whose account the fraudulent withdrawal is said to have been made. The petitioner was Cashier at the relevant point of time and was only responsible for releasing cash on presentation of withdrawal slip by the account holder.

Learned Counsel for the State submits that entire evidence collected during period of investigation show involvement of the petitioner. There were only two personnel in the Bank; one Branch Manager and this petitioner at the relevant point of time. The statement of Dhananjay Singh is recorded in the case diary that he made complaint after finding fraudulent withdrawal of Rs. Four Lakhs from his account.

Having considering the rival submissions of both sides and on perusal of the materials on record a prima facie case is made out against the petitioner. So no ground exists for interfering with the cognizance order.

Accordingly, the application stands dismissed.

(Arun Kumar, J.)

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