

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23483 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -DARBHANGA District- DARBHANGA

- =====
1. Vinay Kumar, Son of Nagina Shah, resident of Village- Gobari Mokhilashpur, P.S.- Banjariya, District- East Champaran.
 2. Kanahiya Kumar Jha, Son of Mr. Fani Bhushan Jha, resident of Village- Rampur Bhishun, P.S.- Wasirsh Nagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul and Mr. Archi Rajpal, Advocates
For the State	:	Mr. Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 11-07-2017

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in Darbhanga Town
P.S. Case No. 005 of 2017 dated 23.01.2017 instituted under Sections
406/409/467/468/469/471/120B of the Indian Penal Code.

3. The allegation against the petitioners is that they were
agents for identifying groups of females, who needed loan and then to
collect the I.D. proof and deposit in the office for appropriate action
and sanction of loan and the same have been found to be forged and
fabricated leading to disbursement of more than Rs. 49,00,000/-.

4. Learned counsel for the petitioners submitted that
they were mere agents and their duty was to collect the identity



documents and submit it to the Branch, which was supposed to forward it to the Zonal Office and at that level the verification was to be made. Learned counsel further submitted that when the controversy came to be known, the Branch Head, to save his skin, has made this false compliant against the petitioners.

5. Learned A.P.P. submitted that the petitioners are directly responsible for such misdeed. It was submitted that their duty was not only to collect the identity proof but also to match the finger print of the prospective loanee with that on the identity proof document and then to submit to the Branch but it has been found that all such papers were submitted to the Branch without completing the formality of bio-metric check.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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