

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53925 of 2017

Arising Out of PS.Case No. -3404 Year- 2007 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sanjay Kumar S/o Sh. gauri Shankar Pandey, R/o 305, Narayan Shree
Appartment, Anandpuri Patna-800001, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
complaint case No. 3404 (c)/2007 registered for the offence
punishable under Section(s) 420, 467, 468, 469, 470, 471 and
120B of the Indian Penal Code.

As per the written report there is allegation against the
petitioner that he being the Branch Manager of ICICI Bank
alongwith other co-accused persons defalcated and
misappropriated the public money in conspiracy with each other
by opening fake account No. 625901524076 and fake withdrawal
were made through that account to the tune of Rs. 1.5 crores.



Learned counsel for the petitioner has submitted that all the transactions were done by the counter clerk and clearing Sections. It is further submitted that earlier complainant also lodged a case bearing Gandhi Maidan P. S. Case No. 68 of 2007 in which this petitioner was not accused. Thereafter, on 05.12.2007 after nine months, complaint case No. 3404 (c) was filed by the said company for the same offence but this time the complainant roped the name of the petitioner along with other accused persons.

By order dated 09.11.2017 the petitioner was directed to file supplementary affidavit about the present stage of case, in which cognizance was taken way back in the year 2009. The complaint case is of the year, 2007. Supplementary Affidavit has been filed along with entire order sheet. From supplementary affidavit, it appears that process under Sections 82 and 83 of the Cr.P.C. has already been issued against the petitioner. But petitioner did not appear.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail. The prayer of the petitioner for grant of anticipatory bail is rejected with a direction to the petitioner to surrender in the Court below within four weeks from date of receipt of the order and make prayer for regular bail, which



shall be considered and disposed of on its own merit without being prejudiced by this order, preferably on same day.

(Sanjay Priya, J)

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