

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61453 of 2018

Arising Out of PS. Case No.-2011 Year-2015 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Deo Kumar Prasad, Son of Late Sheo Bachan Prasad, Residents of Mohalla-
Ram Nagar, Near Housing Colony, New Police Line, P.S.- Ara Nawada,
District- Bhojpur. at present Branch Manager, Madhya Bihar Gramin Bank,
B.O.- Amrai, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anil Kumar Singh, S/o Kashinath Singh, R/o Village- Deoghar Tulsi Tola,
P.S.- Jagdishpur, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Pratap Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 406 of the
Indian Penal Code.

The petitioner is present Manager of Madhya Bihar
Gramin Bank, Amrai Branch. The Bank had sanctioned loan to
some other person during tenure of the predecessor manager.
The father of the informant was shown as guarantor of the loan.
When the refund of loan was not made by the loanee, the bank
issued notice to the guarantor. Thereafter, the informant realized
that on the date of sanction of loan his father was already dead.



Hence some fictitious person was placed as guarantor and the present complaint has been filed. If the loan would have been sanctioned by the petitioner the matter would be different to some extent. There is no allegation that petitioner had sanctioned the loan.

Hence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with complaint Case No. 2011(c)/2015/Tr. No.-1383/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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