

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20619 of 2017

Arising Out of PS. Case No.-237 Year-2015 Thana- PALASI District- Araria

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1. Soeb Alam @ Md. Soeb Alam, son of Late Alimuddin,
 2. Toufique @ Toufique Alam, son of Md. Soeb Alam,
 3. Md. Azad Alam, son of Md. Soeb Alam,
 4. Md. Jamal @ Jamal Kamar, son of Shameem Akhtar,
 5. Mustque @ Md. Mustaque, son of Ainul,
 6. Md. Yasin @ Yasin, son of Md. Manober Ali,
 7. Md. Raish @ Raish, son of Md. Habib,
 8. Md. Suleman @ Suleman, son of Gul Mohammad,
 9. Md. Kalamuddin @ Kalam, son of Md. Ajij,
 10. Manjoor Ala son of Soeb,
 11. Tabrej Alam @ Md. Tabrej, son of Late Salahuddin,
- All resident of Village- Dehti, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Central Bank of India, Palari Branch through the Branch Manager.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam, Adv.
For the Opposite Party/s	:	Mr. Atul Chandra
For the Bank	:	Mr. Prabhakar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

11 12-09-2018 Heard learned counsel for the petitioners and counsel
for the State.

In the present case, the petitioners are apprehending their arrest in connection with Palasi P.S. Case No. 237 of 2015 registered for offence under Sections 420, 406, 467, 468, 471, 120(B) of the Indian Penal Code.

In this case, an allegation has been made that the petitioners have obtained the loan fraudulently by placing the



fake documents which later on verified and reported by the Circle Officer.

Learned counsel for the petitioners submits that the documents, in question, does not bear their signature and submitted that wrong signature has been placed in the document, inasmuch as, they have never taken any loan from the Bank. Counsel for the petitioners further submitted that before granting of the loan, certain Field Officers of the Bank must have verified the document and only then the loan would have been granted. Again submitted that there must be some bank officials who are involved in granting loan which have not been identified by the police or bank officials and only the petitioners have been made the escape goat and are being slaughtered at the hands of the prosecution.

Learned counsel for the Bank submits that the allegation made by petitioners is completely of no substance, they have placed the fraudulent documents and have obtained loan from the Bank.

In view of the above, this Court directs the prosecution to examine from all angles, if any bank officials are also involved or in connivance, they must also be properly dealt with.



In the result, this Court does not find any merit in this application and the same is dismissed.

If the petitioners surrender before the court below within a period of four weeks from today, the court below, without being prejudiced by this order, will pass orders in accordance with law.

(Shivaji Pandey, J)

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