IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49844 of 2018

Arising Out of PS.Case No. -340 Year- 2016 Thana -CIVIL LINE District- GAYA

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Hemant Kumar Verma S/o Umesh Chandra Verma, Sr. Manager, Bank of India, G.B. Road, Main Branch, Gaya, P.S.- Civil Lines, District- Gaya, at Present Senior Manager, Bank of India, A.N. Puri Branch, A.P. Colony, P.S. Rampur, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar
2. The Economic Offence Unit Bihar Patna.
3. The Department of Vigilance through its Secretary, Bihar, Patna.

.... Opposite Parties

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with

Criminal Miscellaneous No.50402 of 2018

Arising Out of PS.Case No. -340 Year- 2016 Thana -CIVIL LINE District- GAYA

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Arvind Kumar S/o Bal Govind Rajak, R/o Panchwati Nagar, Bibiganj Bhatta, P.S.- Danapur Cantt, District- Patna.

.... Petitioner

Versus

The State of Bihar through Vigilance Investigation Bureau, Bihar, Patna.

.... Opposite Party

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Appearance :
(In both the cases)
For the Petitioner/s : Mr. Ajay Kumar Thakur with
M/S Ashutosh Singh, Sanjay Kumar
For the Opposite Party/s : Mr. Ram Sumiran Roy
For the Economic Offence Unit: Mr. V.N. Sinha, Sr.Advocate with
Ms. Soni Shrivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-09-2018 Since both the cases arise out of same P.S.case number, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners of both the cases.

Petitioners apprehend their arrest in connection with Gaya Civil Lines P.S.Case No. 340 of 2016 registered for the offences punishable under Sections 419, 420, 467, 468, 469, 471, 120B of the Indian Penal Code and Sections 13(1)(d) and 13(2) of Prevention of Corruption Act.

Allegation as per FIR is that transaction of crores of rupees has been made in the account of informant and his wife though they have not deposited such a huge amount and it is alleged that on enquiry it was found that petitioners in collusion with others have done this.

Submission of learned counsel for the petitioner Hemant Kumar Verma is that he joined as Sr. Manager of Bank of India, G.B. Road, Gaya in May, 2015 and was transferred from there in the month of November, 2016 and petitioner has got no concern with the alleged transactions of the bank account of the informant and his wife and he has falsely been implicated in this case. Petitioner Arvind Kumar is concerned, it has been submitted that he was Manager of the said Bank and he has received no money from the informant and has nothing wrong as voucbers were passed by the petitioner in official course of duty and he has falsely been implicated in this case.

Heard learned APP and learned also.

Heard learned Sr. Counsel for the Economic Offence Unit, who has opposed the prayer for anticipatory bail stating that entire transactions have been made in two days and both the petitioners have made certain entries in deposit of cash verification and later on E.D. official enquired the matter and found the petitioners guilty in such fraud transactions during the period of demonetization.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioners, rather petitioners to surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, both the applications are dismissed.

(Vinod Kumar Sinha, J)

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