

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4998 of 2019

Arising Out of PS. Case No.-12 Year-2018 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Vishwanath Prasad, Son of Late Sita Ram, Resident of Village- Deohara, P.S.-
Goh, District- Aurangabad, Present address of posting- Recommending
Officer of the Branch, B/o Maharganj, Madhya Bihar Gramin Bank, P.S.-
Kutumba, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional S.P. cum Officer-in-charge, Economic Offence P.S. Bihar,
Patna.
3. The Superintendent of Police, Vigilance Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-02-2019 The petitioner apprehends his arrest in connection with

Bihar Patna Economic Offence P.S.Case No. 12 of 2018 read

with Special Case No. 49 of 2018 registered under Sections 409,

419, 420, 467, 468, 471, 472 and 120B of the Indian penal Code

and 13(2) read with 13(1)(a) of the Prevention of Corruption

Act.

Allegation against the petitioner is that he, being a Field

Officer, without verifying the documents, has recommended for

27 KCC fake loan of amounting to Rs. 53,37,972.96 flouting the

bank rules and norms and creation of registered mortgage at the

time of sanctioning loan seems to be wrong.

Submission of learned counsel for the petitioner is that



occurrence is of the year 2006-11 and after seven years, the present case has been lodged and petitioner is one of the accused among 33 accused persons in the lower ladder and even after verification of loan document, same travels to the Manager and thereafter to the higher authorities and as such it cannot be said that petitioner is solely responsible as the whole case is based on documents and petitioner is ready to abide any conditions upon him.

Heard learned senior counsel for the Economic Offences, who has opposed the prayer for anticipatory bail on the ground that it is the petitioner who is kingpin in this case and on his recommendation, fake loans were distributed to the tune of Rs. 53 lacs and odd.

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

(Vinod Kumar Sinha, J)

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