

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3934 of 2019

Arising Out of PS. Case No.-11 Year-2017 Thana- C.B.I CASE District- Patna

Md. Tauquir Quassim son of Late Md. Kassim Quassim Khan, resident of Village Amir Hasan Lane, Jabbar Chak, Tatarpur, P.S. Tilkamanjhi, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar through C.B.I., ACU-V, AC-II, New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Adv.

Mr. Ravi Bhardwaj, Adv.

For the Opposite Party/s : Mr. Bipin Kumar Sinha, SC/C.B.I.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-03-2019 This is an application for grant of anticipatory bail in connection with Special Case No. 6 of 2017 arising out of R.C. No. 11(A) of 17 disclosing offences under Sections 34, 120(B) r/w 409, 420, 467, 468, 471 of the Indian Penal Code.

The matter relates to Sirjan Mahila Vikas Sahyog Samiti Limited and the petitioner happens to be the Assistant Manager in Indian Bank and allegation against him is that on forged requisition slip of District Magistrate, Bhagalpur, he has issued cheque book in favour of one Binod Kumar and thereafter from that three cheques were issued in favour of Sirjan Mahila Vikas Sahyog Samiti Limited of Rs.5,50,00,000/- and defalcated the government money.

Submission of learned counsel for the petitioner is



that the petitioner was newly posted in Bank and he was not well aware of his work and in good faith he has issued cheques and so far allegation of issuing three cheques in favour of Sirjan Mahila Vikas Sahyog Samiti Limited, that has not been verified by the petitioner and even during the departmental proceeding, the other part of the allegation has not been found true and the allegation of issuance of cheque book has only been found against this petitioner.

Heard learned standing counsel for the C.B.I. also, who opposed the prayer for anticipatory bail of the petitioner stating that the petitioner in connivance with the other person issued cheques, though charge-sheet has been submitted against the petitioner and supplementary investigation is still going on. It has further been submitted that signature of District Magistrate has been verified by the Forensic Science and in the Forensic Science Report also, the signature of the District Magistrate was found forged. Further submission of learned counsel for the C.B.I. is that three cheques of Rs.5,50,00,000/- have been issued in favour of Sirjan Mahila Vikas Sahyog Samiti Limited and on that also the signature of the District Magistrate was found forged. It has also been submitted that without verifying the authenticity of the requisition slip, the



petitioner has issued cheque book that shows the involvement of the petitioner also.

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

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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