

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16630 of 2019**

Arising Out of PS. Case No.-6 Year-2011 Thana- BANMANKHI District- Purnia

SANJAY KUMAR Son of not Mention Resident of Village - and Post -
Mahisona, P.s.- Lakhisarai, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navesh Nandan

For the Opposite Party/s : Mr.Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 27-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Banmankhi P.S. Case No.6 of 2011 registered under
Sections 406, 409, 467, 468 and 471 of the Indian Penal Code.

The accusation is that Ram Janam Prasad, the then
Branch Manager of Banmankhi Branch of the Central Bank of
India, Purnea, sanctioned the loan to the tune of Rs.71,74,512/-
to several fake persons on the basis of scanning of their Voter ID
Cards, fake rent receipts etc. in between 09.01.2006 to
13.06.2009 and, as such, by committing forgery and defalcation,
cheated the bank causing loss to the tune of Rs.71,74,512/- plus
interest.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that regarding the occurrence of 09.01.2006 to 13.06.2009, in respect of disbursing the loan under KCC to different persons, the present F.I.R. was instituted on 11.01.2011 only against Ram Janam Prasad, the then Branch Manager of Banmankhi Branch of the Central Bank of India, Purnea, after inquiry. During that period, the petitioner was posted at that Branch as Assistant-cum-Cashier. According to the guidelines of the Central Bank of India, the Assistant-cum-Cashier has no role in disbursement of the loan to the borrowers. After lodging of the present case, O.A. No.70 of 2012 was filed by the Central Bank of India before the Debts Recovery Tribunal against Ram Janam Prasad and 135 others, who are said to be borrowers, and order was passed for recovery of the defalcated amount from them and the petitioner was not made party in that case. During investigation, only suspicion has been raised against the petitioner and other officials of the Bank, posted in that Branch, having hand in the disbursement of the loan to fake persons. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be



enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, District-Purnea, in connection with Banmankhi P.S. Case No.06 of 2011, subject to the conditions laid down under Section 438(2) Cr.P.C. Out of the two sureties, one must be either the employee of the Bank or the Public Sector Undertaking.

(Rajendra Kumar Mishra, J)

P.S./-

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