IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54313 of 2019

Arising Out of PS. Case No.-46 Year-2013 Thana- ECONOMIC OFFENCES, BIHAR District- Patna

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Sushil Kumar Verma Son of Late Devi Charan Verma Resident of Block- B, Mitra Mandal Colony, Saket Vihar, Anisabad, P.S.- Phulwarisharif, District - Patna

... ... Petitioner/s

Versus

The State of Bihar through Economic Offence Unit, Patna, Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.V.N.P. Sinha(Eo4)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 05-11-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 406, 420, 465, 467, 468, 471 of the Indian Penal Code, in which, subsequently, Section 120(B) of the Indian Penal Code was added.

Allegedly, the petitioner in collusion and conspiracy with the other accused withdrew Rs. Rs. 73.57 lakhs fraudulently from the bank by producing forged NSC and hence the said government money was misappropriated.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 16-04-2019. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. He is the Manager of the bank, in question. NSC certificate presented by the co-accused was accepted by the petitioner treating the same to be genuine. The petitioner had made verification of the certificates in question and on the basis of the said certificates, an amount of Rs. 73.57 lakhs was released in favour of co-accused Sunil Rai @ Arun Pandit S/o Vijay Rai @ Baudhu Pandit. The said co-accused has committed such fraud with other banks also. At best, it can be said to be an act of negligence in discharge of duty on the part of the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,00,000/- (twenty lakhs) in the court below which shall be subject to final outcome of the case.

Mr. Vishwanath Prarsad Singh, learned Sr. Counsel appearing for the Economic Offence Unit has submitted that the petitioner is named in the FIR and the he had intentionally committed such fraud.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 20,00,000/- (twenty lakhs) in the court below which shall be subject to final outcome of the case. On doing so, the petitioner, above named, shall be released on bail on furnishing bail bonds of Rs.10,000/-

(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Economic Offence P.S. Case No. 46 of 2013.

(Sudhir Singh, J)

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