**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.74450 of 2018**

Arising Out of PS. Case No.-71 Year-2018 Thana- BIND District- Nalanda

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Heera Lal Choudhary Son of Late Dahu Choudhary Resident of Village-and post Adampur P.S. Giriyak Distt.-Nalanda at present working as Branch Manger Madhya Bihar GraminBank Kariyanna Distt.-Nalanda

... ... Petitioner/s

Versus

1. The State Of Bihar
2. Dharmendra Kumar Paswan, son of Dashrath Paswan, Branch Manager, Madhya Bihar Gramin Bank, Asthawan, Nalanda.

... ... Opposite Party/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Bikramdeo Singh, Advocate<br>Mr.Pankaj Kumar, Advocate |
| For the Bank | : | Mr. M.N. Prasad, Sr. Advocate<br>Mr. Ved Prakash Srivastav, Advocate, |
| For the Opposite Party/s | : | Mr. Harendra Prasad, APP |

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

ORAL ORDER

10 08-07-2019 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the Bank and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bind P.S. Case no. 71 of 2018, registered under Sections 420, 467, 468, 471, 472, 406 and 409/34 of the Indian Penal Code.

The accusation is that petitioner being the Branch Manager of Madhya Bihar Gramin Bank presently known as Dakshin Bihar Gramin Bank sanctioned loan of Rs. 20,65,516.72/- to the 23 persons on submitting forged documents by the borrower.

Learned counsel for the petitioner submits that,

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admittedly, the petitioner was Branch Manager at Amawan and sanctioned the loan to 23 borrowers and all the borrowers have deposited all amount except Rs. 2,30,037/-. Further submission is that petitioner is ready to pay the said amount, on protest, subject to outcome of the criminal case or deposit of the said amount by the borrowers.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda in connection with Bind P.S. Case No. 71 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. Subject to deposit of Rs. 2,30,037/- in the account of Dakshin Bihar Gramin Bank, Amawan, which will be refundable to the petitioner on depositing the aforesaid amount by the borrowers.

**(Rajendra Kumar Mishra, J)**

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