

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14698 of 2020

Arising Out of PS. Case No.-245 Year-1993 Thana- KHARHAGPUR District- Munger

PANKAJ KUMAR CHATURVEDI Son of Late Sahdev Chaturvedi Resident
of Haat Chowk Sangrampur, P.S.-Sangrampur and District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Kharagpur P.S. Case No. 245 of 1993 registered for the offence punishable under Sections 419, 420, 467, 468 and 120B of the Indian Penal Code.

The allegation is that the accused persons



had opened a Bank, changed its name and had fraudulently defalcated the money of the depositors. It is further alleged that the petitioner was elected as the Chairman of the Bank in the month of July, 1992, hence, he is having complicity in the matter.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in a case, which is a very old case, inasmuch as the petitioner has resigned about twenty seven years ago from the chairmanship of the said Bank i.e. on 22.6.1993, as has been stated in paragraph no. 12 of the present petition. It is further submitted that there is no specific allegation of duping any of the depositors / investors. Lastly, it is submitted that the petitioner is ready to join investigation / the ensuing trial, if any.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by



the learned counsel for the petitioner and taking into account the fact that the petitioner had resigned as Chairman of the Bank in question long back on 22.6.1993 and there is no specific allegation of duping any investors / depositors, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to the conditions that the petitioner shall appear before the learned court below on each and every date so fixed by the learned court below and in case of default in appearance on two occasions, the present privilege of anticipatory bail shall stand cancelled forthwith and the petitioner would be liable to be taken into custody immediately.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IV, Munger



in connection with Kharagpur P.S.Case No. 245 of 1993, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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