IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18450 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- ECONOMIC OFFENCES, BIHAR District- Patna

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PRAMOD KUMAR S/o- Late Sarjug Paswan R/o- Village - Ratanpura, P.S. - Noorsarai, District - Nalanda.

... ... Petitioner

Versus

1. THE STATE OF BIHAR
2. The Superintendent of Police, Economics offence Unit, Bihar, Patna. Bihar

... ... Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Adv.
For the EOU	:	Mr. V.N.P. Sinha, Sr. Adv.
		Ms. Soni Srivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 30-03-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned Spl.P.P for the Economic Offence Unit.

The petitioner apprehends his arrest in connection with E.O.U. P.S. Case No. 04 of 2020, registered for the offences punishable under Sections 406, 409, 467, 468, 471, 472, 477(A), 120 (b) of the Indian Penal Code and 13 (2) R/W 13 (1) (a) of Prevention of Corruption Act, 1988.

This FIR has been lodged by EOU with allegation that a number of loanees mentioned in the FIR became successful in obtaining huge loan from the Bank of Baroda, Dinara Branch. The details of loanees as well as the amount received has explicitly been described in the FIR. In inquiry it was found that the loan was granted on the basis of forged and fake Land Possession Certificate, Revenue Rent Receipt and KYC documents.

Learned counsel for the petitioner has submitted that the petitioner is Credit Manager of Bank of Baroda, Dinara Brach and he has suitably been punished in departmental inquiry. It has also been submitted that out of Rs. 2,28,08000/-, a sum of Rs. 1,01,47,953/- was returned by the loanees.

Per contra, learned Spl.P.P. for the EOU has submitted that it was duty of the present petitioner to make pre-sanction inspection and on the basis of pre-sanction inspection the loan was granted. The signature of present petitioner is available on the pre-sanction inspection. He was duty bound to verify all the papers but he failed and due to act of the present petitioner loans were sanctioned on the basis of forged and fabricated documents. The learned Spl.P.P. has also submitted that during departmental inquiry all the charges against the present petitioner were proved and thereafter the order of punishment was passed against him.

Considering the above-mentioned facts and circumstances, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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