IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30301 of 2021

Arising Out of PS. Case No.-267 Year-2020 Thana- GAYA MUFASIL District- Gaya

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PRITI SINGH Wife of Sri Vivek Singh Daughter of Sri Vijay Kumar, Resident of Mohalla - Narayangarh, P.S. - Rampur, District - Gaya

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Saket Gupta
For the SBI	:	Mr. Binod Bihari Sinha
For the CBI	:	M/s Avanish Kumar Singh & Ambar Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

6 22-08-2022 Heard learned counsel for the petitioners, learned counsel for the CBI as well as learned counsel appearing on behalf of State Bank of India.

The petitioner apprehends her arrest in connection with Mufassil (Gaya) P.S. Case No.267 of 2020, registered for the offences punishable under Sections 467, 468, 471, 409, 420 and 34 of the Indian Penal Code.

The allegation against the petitioners is that she along with other accused persons opened 60 accounts against the banking rules for their personal benefits and committed financial irregularity worth Rs. Rs.7,96,00,916/- and caused loss to the Bank in collusion with the account holders, who are close relatives of this petitioner.

It is submitted that as per FIR total defalcation is of Rs.7,96,00,916/- to the State Bank of India, Manpur branch, Gaya but the alleged accounts have been opened by the petitioner at the instance of the Branch Manager and other Regional Officers with the objective to show growth in the business of the branch and were intended to close after reasonable period of time. It is further submitted that out of all the bank accounts allegedly opened by the petitioner a total of Rs. 5,77,000,00/- have been deposited in the bank out of which total sum of Rs. 2,00,000,00/- has been withdrawn. It is next submitted that the bank has also issued an intimation letter dated 05.09.2020 and 17.09.2020 to the petitioner that the bank has appropriated the liquid security money which was deposited by the petitioner to create over draft account and also neutralize the outstanding amount to safeguard. It is also submitted that no financial loss has incurred to the bank in course of the aforesaid transaction. It is further submitted that in the departmental proceeding petitioner has been inflicted with penalty of Reduction to JMGS-I grade from MMGS-II grade in terms of Rule 67(g) of SBIOSR 1992 and her period of suspension from 18.07.2020 till date will be treated as not on duty.

Learned counsel for the bank opposes the prayer for anticipatory bail and submits that it is an open loot and plunder of public money to the tune of Rs. 7,96,00,916/-. In the investigation report dated 14.09.2020 submitted by the Assistant General Manager, Vigilance department, it has been reported that there was serious lapses in the opening of the accounts.

Taking into consideration the facts and circumstances of the case, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Gaya in connection with Mufassil (Gaya) P.S. Case No.267 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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