

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45520 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- GANDHIMAIDAN District- Patna

MD. SHAHRUKH KHAN @ RIJU @ MD. SAHRUKH KHAN S/o MD. ISLAMUDDIN R/o M.P BAGH, P.S-TOWN, DISTRICT-BHOJPUR (ARRAH).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.K.Shahi, Sr. Adv. Mr. Sumit Kumar Singh, Adv. Ms. Alka Singh, Adv.
For the E.O.U.	:	Mr. V.N.P. Sinha, Sr. Adv. Ms. Soni Shrivastava, Adv.
For the Kotak Mahindra Bank	:	Mr. Dayanand Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

11 20-07-2022 Heard learned Senior counsel for the petitioner and
learned Senior counsel for the Economic Offences Unit.

The instant application has been filed for grant of regular bail in a case registered under sections 420, 419, 467, 468 and 471 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that one person who identified himself as Shubham Gupta visited the Exhibition Road Branch of the Kotak Mahindra Bank and made a request for transfer of a sum of Rs.11.73 crores. On examination of the RTGS form, it transpired that the signatures were not matching with the authorised signatory and subsequently on verification from the



District Land Acquisition Officer, it was confirmed that the documents submitted before the Bank were fake.

It is submitted by learned Senior counsel appearing for the petitioner that in course of investigation, it transpired that one Sumit Kumar who happens to be the Branch Manager of Kotak Mahindra Bank has transferred much amount to the account of his wife. A sum of Rs.35 lacs had been transferred in the account of Sandip Kumar Gupta. So far as this petitioner is concerned, it is submitted that there is no allegation against the petitioner except the fact that the petitioner happens to be in the employment of the above co-accused Sandip Kumar Gupta. The aforesaid Sandip Kumar Gupta has been enlarged on bail vide order dated 18.5.2022 passed in Cr. Misc. no.5710 of 2022 and even Sumit Kumar has been enlarged on bail vide order dated 13.7.2022 passed by the Hon'ble Supreme Court in S.L.A.(Cr.) no.4085 of 2022. The petitioner is in custody since 27.1.2021.

The prayer for bail is opposed by learned Senior counsel appearing for the Economic Offences Unit and learned counsel appearing for the Kotak Mahindra Bank.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, grant of bail to the above named co-accused Sandip



Kumar Gupta and Sumit Kumar together with the petitioner having remained in custody for more than 1 year and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Gandhi Maidan P.S. Case no.2 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Patna.

(Partha Sarthy, J)

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