

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.989 of 2022

Arising Out of PS. Case No.-208 Year-2022 Thana- KANKARBAG District- Patna

Radhe Shyam, son of Prakash Singh R/o Road No. 2, R. M. S. Colony, P.O.
Lohia Nagar, Kankarbagh, P.S.- Kankarbagh, District – Patna.

... .. Petitioner

Versus

1. The State of Bihar through Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police, Patna, Bihar
3. I.G. Patna Region, Patna
4. D.I.G., Patna Range, at Patna
5. The Superintendent of Police, Patna
6. The Dy. S.P. Sadar, Patna, Patna
7. The Officer-In-Charge of the Sadar, Patna Police Station, Patna
8. Investigating Officer Kankarbagh Police Station, Patna
9. Industrial Bank, Kankarbagh Branch, Through Zonal Manager, East 2 Zone, Kolkata.
10. Branch Manager of Industrial Bank, Kankarbagh, Patna

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Deepak Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-09-2022 Learned counsel for the petitioner has mentioned the matter for urgent hearing.

Petitioner, in this writ application, is praying for a direction to the respondent police authorities to act swiftly, conduct proper investigation of the case being Kankarbagh P.S. Case No. 208/2022 registered under Section 420, 379 of the Indian Penal Code and take immediate action against the accused persons.



Mr. Bimlesh Kumar Pandey, learned counsel for the petitioner has informed this Court that in fact immediately after the money was fraudulently transferred from the account of the petitioner by committing Cyber crime, the petitioner informed this to the Bank and as a result thereof the Bank took immediate action whereupon the offending account in which the amount was transferred has also been freezed. The amount transferred from the account of the petitioner is lying in the freezed account. It is, however, his submission that the Bank is not transferring the amount to the account of the petitioner and is delaying the matter.

So far as the first prayer of the petitioner is concerned, this Court directs respondent Nos. 5 to 8 to act swiftly, take immediate action against the accused persons and ensure that the fraud committed in respect of the money of the petitioner be duly investigated and the amount be secured for the petitioner.

As far as the reliefs prayed against the Bank is concerned, this Court grants liberty to the petitioner to file a proper application before the concerned Bank which will be considered by the Bank keeping in view the norms and procedures in this regard but a decision on this shall be communicated to the petitioner within a period of 30 days from



the date of communication of this order.

If aggrieved by the decision of the Bank, it will be open for the petitioner to seek his remedy before an appropriate court/forum in accordance with law.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

