IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65100 of 2021
Arising Out of PS. Case No.-5 Year-2020 Thana- ECONOMIC OFFENCES, BIHAR District- Patna

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GHANSHYAM SINGH Son of Sri Vijay Kumar Singh Resident of Village- Damodarpur, P.S.- Sarai, District- Vaishali, at present posted as Branch Manager, Dakshin Bihar Gramin Bank, Banda Branch at Village- Banda, P.S.- Hathauri, District- Samastipur.

... ... Petitioner/s

Versus

The State of Bihar through Vigilance, Economic Offence Bihar, Patna.

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
For the Opposite Party/s : Mr. V.N.P. Sinha, Sr. advocate (E.O.U.)
Mrs. Soni Shrivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 25-08-2022 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 406, 409, 420, 467, 468, 471, 120B of the Indian Penal Code and u/s 13 (2)/ 13(1) (a) of Prevention of Corruption Act.

The F.I.R. has been instituted on the basis of written report of on Shri Ravindra Nath Trivedi, Regional Officer at Regional Office of Dakshin Bihar Gramin Bank, Begusarai. The specific allegation against this petitioner is that he in connivance with other accused persons sanctioned term loan of Rs. 340/- lacs and CC loan of Rs 75/- lacs to one Sanjiv Kumar Agrawal on the basis of forged documents as well as on the basis of documents of disputed land.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that petitioner has not sanctioned any term loan or CC loan. The entire loan was sanctioned by Head office as well as Regional Office and only disbursement was routed through branch of this petitioner. After sanctioning of loan two audit inspections were conducted and in those audits no irregularities were found by the authorities in sanctioning of loan. It is only when the loan became N.P.A. the so-called enquiry was conducted and FIR was instituted.

Learned counsel appearing for the E.O.U. opposes the prayer for anticipatory bail and submits that at the relevant time petitioner was Branch Manager of the bank and he was duty bound to verify the documents submitted by the loanee. It is next submitted that even the disbursement of loan was based on concocted materials and mortgage was created when the property was disputed property.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

BKS/-

(Prabhat Kumar Singh, J)

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