IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39060 of 2022

Arising Out of PS. Case No.-34 Year-2016 Thana- DANDARI District- Begusarai

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RAVI KUMAR Son of Badri Prasad Sah Resident of Village - Kurhani, P.s.- Kurhani, Distt.- Muzaffarpur, the then Branch Manager, Canara Bank Main Branch, Begusarai.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.N. K. Agrawal, Sr. Adv.
Mr. Pushpendra Kumar Singh, Adv.
Ms. Divya Bharti, Adv.

For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 11-01-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard Mr. N.K. Agrawal, the learned Senior counsel for the petitioner as well as Mr. Harendra Prasad, the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Dandari P.S. Case No. 34 of 2016, registered for offence punishable under sections 467, 468, 420, 406/34 of the Indian Penal Code.

As per allegation, co-accused Sarvan Kumar and Sarvan Kumar Mandal, who are agents of Reliance Life

Insurance Company persuaded the informant to take insurance policy. The informant took policy of the said insurance company and deposited installments. He came to know that after preparing his forged death certificate, agent Sarvan Kumar had withdrawn Rs. 102794.06 paise.

The learned counsel for the petitioners has submitted that the main allegation is on co-accused Sarvan Kumar. The petitioner is a Bank Manager of Canara Bank, where the fake account of the informant was opened. He has submitted further that on the basis of papers submitted by applicants, the account was opened, as such, the petitioner cannot be held responsible for forgery committed by Sarvan Kumar. He has submitted further that so many files move from table to table and lastly they route to the Branch Manager and thereafter he puts his signature on its. He has also submitted that the main allegation of committing forgery and withdrawing money is on Sarvan Mandal and not on the petitioner. The petitioner is merely a Bank Manager.

On the other hand, the learned APP, Sri Harendra Prasad has submitted that in the regime of the petitioner, the forged account was opened and he is responsible for opening the fake account.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with Dandari P.S. Case No. 34 of 2016 , subject to condition as laid down under section 438(2) Cr. P.C.

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

(Nawneet Kumar Pandey, J)

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