

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52180 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- MOKAMAH District- Patna

Rashid Iqbal Son Of Mohammad Shafi R/O 385, New Patliputra Colony,
Road No. 3j, Patliputra, Near Masjid, P.S. Phulwari, Patna-800013

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ram Pravesh Kumar S/O Late Ram Nandan Singh R/O Village Marachi, Ps
Marachi, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-01-2023 Learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Mokameh P.S. Case No. 309 of 2021 under sections 406, 419, 420, 465 & 467 of the Indian Penal Code.

As per the prosecution story, the complainant alleged in his written complaint that he is a holder of account of Axis Bank, Mokameh having saving account and when he visited the Bank, he realized that a loan amount of Rs. 4,90,640/- has been deposited by an unknown person and subsequently all the amount was taken out of the account. Further, he got information that he has been issued a loan amount of Rs. 5,00,000/- without making any application and ATM card



has also been issued. Accordingly, the FIR was lodged.

Learned counsel for the petitioner has taken this Court to the order of the learned Sessions Judge to show that it was the Assistant Manager, Md. Hussein who made illegal act. He stands suspended and arrested in the matter.

So far as this petitioner is concerned, he was the Branch Manager and he only puts in his initials on the final documents, in any case, the amount has now come back to the bank and no dues certificate has been issued to the informant.

Learned APP submits that these days, it has become common by the bank officials to connive and use the account which is silent for months to make all these illegal transactions. He as such opposes the bail.

Taking into account the fact that the investigation is on, the petitioner is Branch Manager and he will be cooperating with the police officials as and when required and would be diligently visiting the trial Court, the amount stands returned, the Assistant Manager who was the master mind has been arrested/suspended, this Court is inclined to grant him relief subject to condition that the passport , if any, be surrendered in the concerned Court.



Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of like amount each to the satisfaction of learned ACJM-II, Barh , in connection with Mokameh P.S. Case No. 309 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/-Ajay
Singh

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