

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52678 of 2022

Arising Out of PS. Case No.-78 Year-2009 Thana- CHAND District- Kaimur (Bhabua)

RAJENDRA PRASAD SAH Son of Late Mukund Sah Manager (Suspended),
Madhya Bihar Gramin Bank Chad, Dist- Kaimur, The Then Resident of
Meenakshi, Apartment, Kuhrar Patna- 800020. Presently permanently
Residing at Mohalla- Professor Colony, Rambag, Raod No. 2, Purnea, P.S-
Sadar, Purnea, Dist- Purnea, 854301, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Branch Manager, Madhya Bihar Gramin Bank, Branch - chand, Dist-
Kaimur at Bhabhua Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jai Prakash Singh, Advocate
For the Opposite Party/s	:	Mrs. Archana Palkar Khopde, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-01-2023 Heard Mr. Jai Prakash Singh, learned counsel for the

petitioner, Mrs. Archana Palkar Khopde, learned counsel who

represent the Bank and Mr. Jitendra Kumar Singh, learned APP

for the State.

The petitioner apprehends his arrest in connection
with Chand P.S. Case No. 78 of 2009 for the offence registered
under Sections 406, 409, 419, 420, 467, 468, 471, 120(B) and
34 of the Indian Penal Code.

In 2009, an allegation was made that the Manager of
Madhya Bihar Gramin Bank, Chand, Kaimur submitted a
written report before the Police Station concerned that the



present petitioner, an official of the Bank in connivance with the other accused persons made the bank looser by Rs. 75,41,474/-.

Learned counsel for the petitioner submits that so far as the civil proceeding is concerned, subsequently the bank took up this case and in a departmental proceedings, he has already been dismissed from service. Regarding the present case, he submits that although the FIR was lodged in 2009, the police did not took any steps and it was only in June, 2022 that a call came from the Police Station necessiating this petition.

Mrs Khopde, learned counsel for the Bank, submits that he was the master mind behind the entire story which made the bank looser by Rs. 75,41,474/-. Subsequently, by dismissing him from service, a stamp has been put on the allegation made against him. The last submission is that as the matter is of 2009, he does not deserve the privilege of anticipatory bail.

Learned APP for the State echoes the submissions put forward by the learned counsel for the Bank.

Taking into account the fact that the matter is of 2009, the petitioner has delayed his right of filing of anticipatory bail for more than a decade, this Court does not deem it proper to extend him the privilege and as such, prayer for anticipatory bail of the petitioner stands rejected.



If the petitioner chooses to move before the concerned Court by surrendering within a period of four weeks from today and files all the necessary documents including the fact that the police never approached him and it was in only June, 2022 that a call came from the Police Station which prompted him to file the present petition, the Court concerned shall take into account all these facts while disposing of his present petition without being prejudiced by any observation made by this Court.

(Rajiv Roy, J)

Jagdish/Neha/-

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