

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61113 of 2023

Arising Out of PS. Case No.-109 Year-2017 Thana- ARWAL District- Jehanabad

RAHUL KUMAR S/O LALCHAND CHAUDHARY R/O VILL-
MURADPUR HUJARA, PS AND DIST- ARWAL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE MANAGER MADHAYA BIHAR GRAMIN BANK BAIDRABAD
BIHAR, BAIDRABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 409 and 420 of the
Indian Penal Code.

3. As per prosecution case, as a result of the 799 loans
sanctioned to the different persons by the Branch of the which
the co-accused Prakash Kumar Dwivedi was the Branch
Manager and defalcation to the tune of Rs. 2, 48, 33, 646.94 is
said to have taken place. It is further transpired that out of the
loans sanctioned 188 land possession certificates were found to
be false and 121 loanees were found not to be residing at their



given address.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. The petitioner never apply for KCC in Baidarsbad Madhya Bihar Gramin Bank but then Branch Manager in conclusion with some fictitious local people manage all the forge transition in which petitioner has no role. He submitted that there is no signature on any document which was used for the loan from the bank by the petitioner but then Branch Manager without verifying the document and sanction loan to be fictitious fake persons. He further submitted that the informant of the present case has stated in the FIR that during inquiry out of 189 persons 188 person were found fake but 121 persons is available which is contradictory statement of the informant. He further submitted that the other co-accused namely, Prakash Kumar Dwivedi, has already been granted bail by a Co-ordinate vide order dated 19.12.2022 passed in Cr. Misc. No. 10685 of 2022. He is languishing in judicial custody since 06.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Arwal P.S. Case No. 109 of 2017.

(Sunil Kumar Panwar, J)

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