

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54505 of 2022

Arising Out of PS. Case No.-119 Year-2015 Thana- CHAPRA TOWN District- Saran

HARE RAM THAKUR S/O LATE SURESH THAKUR Resident of
Mohalla- Bank Colony, P.S.- Bhagwan Bazar, District- Chapra, Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar, Adv.

For the Opposite Party/s : Mr.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Chapra Tows P.S. Case No. 119 of 2015 instituted under Sections 467, 468, 420, 409, 120(B) of the Indian Penal Code.

As per the FIR, the Executive Office, Nagar Parishad, Chapra alleged that the Accountant and the Assistant Accountant of the Office informed that while they were matching bank details, they found certain withdrawal to the tune of rupees around 55 lakhs which was transferred in the account of co-accused Manoj Kumar using forged signature of the informant and accordingly, the Nagar Parishad was made poorer by aforesaid Rs. 55 lakh.

It has further been alleged that although there was big difference between the original sample of the signature and the



forged signature, the petitioner being the Manager made the payment and as such his role has also come in the fraudulent payment. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that the cheque used to come to him after being examined/cross-examined by three employees of the Bank and in that background, there may be casualness on his part in clearing the same without actually verifying the signature which led to the financial loss to the concerned Office.

Further submission is that the matter is of 2015 but only in 2021, his name has cropped up necessitating his anticipatory bail.

The last submission is that he do not have criminal antecedent and is aged 66 years.

Learned APP on the other hand submits that there is financial loss of around Rs. 55 lakhs and the petitioner being a responsible Officer of the Bank, cannot exonerate himself of the charges.

Taking into account the allegation that has come up even if the same as submitted was done casually, the fact remains that the Nagar Parishad lost Rs. 55 lakh and in that backdrop, this Court is not inclined to grant her relief and the



same is accordingly rejected.

If however, the petitioner surrenders before the concerned court and file bail petition along with relevant documents as also the bail orders of the other similar placed co-accused, the court shall take up the matter and dispose it of preferably on the same day, taking into account his age as also that he do not have criminal antecedent.

(Rajiv Roy, J)

Prakash Narayan
/Ajay Singh/-

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