

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8391 of 2021

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Sant Kumar Sinha S/o Late Shri Anil Chandra Sinha, R/o Shyamal Das Lane,
Indraprasth Colony, Lichi Bagan, Isakchak, P.S.- Isakchak, District -
Bhagalpur.

... .. Petitioner/s

Versus

1. Union of India through Central Bureau of Investigation.
2. General Manager (Zonal Chief, Patna Zone), Bank of Baroda, Zonal Office,
5th Floor, Anand Vihar, West Boring Canal Road, Patna, Bihar.
3. Assistant General Manager (Regional Chief, Purnea Region), Bank of
Baroda, Regional Office, Khiruchowk, Bhatta Bazar, Purnea, Bihar.
4. Chief Manager, Bank of Baroda, Main Branch, Ghantaghar, Bhagalpur,
Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Advocate Mr. Dharmesh Kumar, Advocate
For the CBI	:	Mr. Sourendra Pandey, Spl. PP
For the Bank	:	Mr. Sanjeev Shankar, Advocate
For the Respondents	:	Mr. Bipin Kumar Sinha (Secbi)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

4 19-03-2024 Though this writ petition has been filed against

freezing of the Pension Account No. 1001010003938 and

OD Account No. 10010400009295 by the respondent bank

authorities, learned counsel for the petitioner submits that

the grievance of the petitioner is limited to the action of the

respondent authorities in making the pension account of the

petitioner non-operational.

2. Respondent Nos. 2-4 have filed counter

affidavit, wherein it has been stated that the aforesaid two

accounts of the petitioner and his wife respectively had to be made non-operational on the basis of the letter dated 16.08.2021 received from the Inspector of Police, CBI/ACB Patna, in connection with the CBI/ACB Patna Case No. RC 0232021A0004, dated 31.03.2021, wherein it was stated that during the course of investigation of the aforesaid case, the petitioner and his wife were found to be maintaining the aforesaid two bank accounts in the Bhagalpur Main Branch of the Bank of Baroda, and, therefore, it was requested to make those two bank accounts non-operational. It was on the basis of the request made that these above two bank accounts maintained by the petitioner and his wife were made non-operational, as the petitioner was stated to be an accused in the aforesaid case registered by the CBI.

3. The Respondent No. 1 (CBI) has not filed counter affidavit. However, Mr. Sourendra Pandey, learned counsel for the CBI on instruction has submitted that since the petitioner is an accused in the case registered by the CBI, as referred to hereinabove, and the petitioner is found to have been using both the bank accounts referred to above, for money transactions, which is suspected to be a

money generated in connection with the case registered against the petitioner, the same had to be made non-operational by the petitioner and accordingly such a request was sent to the bank authorities after which the bank authorities have made the aforesaid two bank accounts non-operational.

4. Having heard the learned counsel for the parties and on perusal of the records, it is noticed that the petitioner was a clerk in the Bank of Baroda and retired from service on attaining the age of superannuation on 31.12.2015. For the purpose of receiving his pension, the petitioner had opened an account being Pension Account No. 1001010003938, in which the pension amount of the petitioner has been credited by the bank authorities. The said bank account of the petitioner had to be made non-operational by the bank authorities on the request of the CBI, as the petitioner was found by the CBI to be using the said bank account for making other monetary transactions other than the pension amount credited therein, which was suspected to be the money generated out of the crime alleged to have been committed, for which the aforesaid

case has been registered by the CBI against the petitioner.

5. Be that as it may, since the pension money of the petitioner credited in the pension account of the petitioner appears to have no nexus with the case registered by the CBI, this writ petition stands disposed of with a direction to the bank authorities to allow the petitioner or his wife if authorized by the petitioner to withdraw the pension amount credited by the bank authorities in the Pension account No. 1001010003938 on production of the life certificate.

(Nani Tagia, J)

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