

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23905 of 2023

Arising Out of PS. Case No.-9 Year-2018 Thana- C.B.I CASE District- Patna

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1. MUKESH KUMAR PANDEY S/O LATE BASHISHTHA NARAYAN PANDEY @ B.N. PANDEY Resident of Kalyani Colony, Sumitra Sadan, Harnichak, P.S.-Anishabad, District-Patna
 2. INDU KUMARI PANDEY W/O MUKESH KUMAR PANDEY Resident of Kalyani Colony, Sumitra Sadan, Harnichak, P.S.-Anishabad, District-Patna
- Petitioners.

Versus

1. The State of Bihar through the C.B.I., Patna, Bihar.
2. Corporation Bank, Raja Bazar Branch, Patna.

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the C.B.I.	:	Mr. Nivedita Nirvikar, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

10 04-01-2024 Heard Mr. Krishna Prasad Singh, learned senior counsel assisted by Mr. Bhaskar Shankar, learned Advocate for the petitioners and Mrs. Nivedita Nirvikar, learned senior counsel for the C.B.I.

2. The petitioners apprehend their arrest in connection with Special Case No.01/2021 arising out of R.C. Case No.09 (s)/2018 for the offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code and Section 13 (1) (a) of Prevention of Corruption Act.

3. Petitioners along with other co-accused and some unknown persons under a deep rooted conspiracy cheated the Corporation Bank, Raja Bazar Branch, Patna to the tune of



Rs.788.50 lakhs during the period 2015 to 2018 by getting sanctioned and disbursed 43 numbers of loans on the basis of forged and fabricated documents.

4. The petitioners are quite innocent and have been falsely implicated in this case. It is further submitted that so far as petitioner no.1 is concerned, he runs three firms in the name of M/s Parthana Transport, M/s Prathana Advertisement and Films and a contractual firm in the name of Mukesh Kumar Pandey. So far as petitioner no.2 is concerned, she is proprietor of M/s Baba Traders and Prathana Traders and she took loan of Rs.23 lacs and Rs.47 lacs and has given about 1.5 katha land measuring 1800 sq ft registered in the name of petitioner no.1 as collateral security in the bank. It is further submitted that when the loan was sanctioned to the petitioners they were in the business which was flourishing and were paying the loan amount to the bank regularly as per bank schedule but due to introduction of G.S.T. and demonetization their business got hampered. The allegations levelled against the petitioners is general and omnibus in nature. Petitioner no.1 has three criminal antecedents, whereas petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned senior counsel for the C.B.I.



vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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