

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43371 of 2024

Arising Out of PS. Case No.-525 Year-2019 Thana- BRAHMPUR District- Buxar

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Sunil Kumar Das @ Sunil Das Son of Birendra Ram @ Birendra Das R/O
Village-Jawahi Jagdishpur, P.S.-Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Brahmapur P.S. Case No. 525
of 2019, registered for the offence punishable u/s 409, 467, 468,
471, 420 & 34 of the IPC.

3. As per the F.I.R., the informant Kamlakant Singh along
with other farmers have taken KCC loan from State Bank of India.
The informant further stated that when rule of 40% waiver scheme
was introduced by the Government, the Branch Manager of S.B.I.
Brahmpur Branch and this petitioner came to the doors of the loan
holders and told them to avail the benefit of 40% waiver scheme.
The informant and others gave money to recovery agent i.e.
petitioner in front of Branch Manager. The Branch Manager



assured them about the guarantee of the scheme. After inquiry, the informant and other loan holders found that the amount has not been credited in their bank accounts and in this way, this petitioner along with the Bank Manager misappropriated the money of the informant and others.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He has no concern with the alleged occurrence. It is further submitted that there is general and omnibus allegation against the petitioner to assist the Branch Manager of the said Bank. The real fact is that at the time of the alleged occurrence, he was not entrusted with the work of recovery agency on behalf of the bank. It is further submitted that petitioner has no criminal antecedent and he is in custody since 01.12.2023.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.



7. However, the petitioner shall be at liberty to renew his
prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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