

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81461 of 2023

Arising Out of PS. Case No.-1 Year-2012 Thana- GOVINDPUR District- Nawada

Ravindra Nath Sharma@Rameshwar Sharma Son Of Virshu Singh Resident Of Village- Sihi P.S.- Dulhin Bazar, District- Patna. At Present Resident Of 196 New Bailey Road, Ram Jaipal Path, Arpana Bank Colony, Phase-1, Police Station-Rupaspur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Ram, The Branch Manager, Punjab National Bank,
Govindpur Branch, Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar, Advocate
For the State	:	Mr. Madhura Nand Jha, A.P.P.
For the PNB	:	Mr. Mritunjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-05-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

3. The allegation against the petitioner is that he, being the proprietor of M/s Jain Machinery Store, Kolkata, received a draft of Rs. 1,65,000/- from Punjab National Bank for supply of certain machinery to the beneficiary Uttam Kumar under the Prime Minister Employment Scheme, but the machinery, in question, was not made available to the beneficiary, Uttam Kumar and the amount has been



misappropriated.

4. Learned counsel for the petitioner submits that at the relevant point of time, petitioner was Branch Manager of the PNB, Govindpur and thereafter, he was transferred to the PNB, Nanzardir Kawakole, Nawada from where the petitioner retired on 29.02.2012. He further submits that as a Branch Manager, he sanctioned the loan to co-accused Uttam Kumar and on request of his quotation in the name of M/S Jain Machinery Store 26?C Mahatama Gandhi Road, Kolkata Howrah, Bank Draft of Rs. 1,65,000/- was handed over to the Uttam Kumar. Thereafter, he sought permission from Head Office of PNB and the same was accorded but in the meantime, petitioner was transferred. Lastly, he submits that petitioner has been made accused in this case after 11 years of his retirement. Moreover, similarly situated co-accused person has already been granted anticipatory bail by this Hon'ble Court *vide* order dated 27.04.2023 passed in Cr. Misc. No. 10278 of 2023. Petitioner is 70 years old and claims clean antecedent.

5. Learned counsel for the PNB vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let



the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Nawada in connection with Govindpur P. S. Case No. 01 of 2012, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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