

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.139 of 2024

Arising Out of PS. Case No.-702 Year-2023 Thana- KANKARBAG District- Patna

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Sujeet Kumar Sharma SON OF PREMCHAND SHARMA Resident Of
Bishnupur Pakri, P.S.- Beur, District -Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kankarbagh P.S Case No. 702/2023 dated 06.07.2023 registered for the offences punishable u/ss 406, 420, 467, 468 and 471 read with 34 of the Indian Penal Code.

3. As per the prosecution case, on 05.09.2022, Indian Bank approved a home loan of Rs. 43 lakhs for the co-accused person (borrower) Raj Kapoor Chaudhry and Mamta Devi. Consequently, on 12.09.2022, Rs. 38 lakhs was deposited in favour of Pratima Sahay, (the seller of the property) due to the non-deposit of EMIs, the bank informed the borrower and guarantor on 13.05.2023, an email was sent to the corporate



office of the bank in which one Aditya Anand complained about the fraud committed by the petitioner (Bank DSA). During the preliminary inquiry, it was found that the borrower of the aforementioned loan, Raj Kapoor Chaudhry, committed fraud by presenting forged employee documents and took salary receipts thus, the co-accused person (including the petitioner) under a conspiracy caused financial loss to Indian Bank.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. Learned counsel has submitted that the petitioner is a direct selling agent and his work was for garnering Home Loan business for Indian Bank. It is further submitted that u/s 468 and 471 of the IPC is not made out against the petitioner because the petitioner does not use any kind of forged document and no direct evidence has come against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Kankarbagh P.S Case No. 702/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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