

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2363 of 2022

In
Criminal Writ Jurisdiction Case No.890 of 2015

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Sandeep Gautam, son of late Suresh Lal Das, presently residing at Flat no. 303, Veena Shree Apartment, New Punaichak, P.S.- S.K. Puri, District- Patna, presently posted as Zonal Head HDFC Bank Ltd., Boring Road, Patna, Bihar.

... .. Petitioner

Versus

1. The State of Bihar Through Mr. Chaitnya Prasad, the Principal Secretary, Department of Home, Government of Bihar, Patna New Secretariats Bailey Road, Patna.
2. Mr. S.K. Singhal, the Director General of Police, Police Head Quarters, Old Secretariat, Patna.
3. Mr. Rakesh Rathi, the Inspector General, Patna Zone, Patna.
4. Mr. Sanjay Singh the Deputy Inspector General, Patna.
5. Mr. Manavjit Singh Dhillon, the Senior Superintendent of Police, Patna, at Patna.
6. Mr. Ambrish Rahul, the City S.P. Patna at Patna.
7. Mr. Arun Kumar, S.H.O., Gandhi Maidan, Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Girijish Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Ghosarvey, AC to AAG-3
For the PNB	:	Mr. Suresh Pd. Singh No. 1
		Ms. Kumari Rashmi, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 14-02-2025 Perused the report of the learned Additional Chief Judicial Magistrate-9, Civil Court, Patna kept at Flag 'F'. It appears that the accused persons, namely, Subodh Kumar, Shayak Hussain and Shailendra Kishor Sharma are absenting on the dates fixed in the trial. Learned Magistrate has already cancelled their bail bonds and has issued non-bailable warrants against them.

2. The counter affidavit filed on behalf of Punjab National Bank, Zonal Office, Patna discloses the present and correct addresses



of the accused persons. Paragraphs '6' and '7' of the counter affidavit are being reproduced hereinafter for a ready reference:-

“6. That despite the aforesaid facts, since the proposed Opp. Party is a bank official, who has highest regards in the majesty of law, as such despite none maintainability of this IA, being a public servant and law-abiding citizen, the name with present and current addresses of the accused persons as mentioned in para no. 3 of the IA, is provided, as per records available with the bank, which are as follows:-

1. Malvinder Singh (Rtd.), (Emp. ID-0050822) then Chief Manager, Circle Office, PNB, Patna. Permanent address: 82, Dashmesh Colony, Rajpura Town, Distt. Patiala.

Present address: Malvinder Singh S/o Jagjit Singh, Flat no. C-06, 1501, Puri Pranayam Apartments, Sector-82, Faridabad, Haryana.

2. Subodh Prasad Kumar (Rtd.), (Emp. ID-0042226) the then Chest Manager, PNB Exhibition Road BO, Patna.

Permanent Address: Jhandapur, Ps. Bihpur, Distt, Bhagalpur.

Present address: Subodh Prasad Kumar S/o Late Arjun Kumar, Road No. Zero, Shivpuri, Ps, Shashtri Nagar, Distt. Patna.

7. That although the petitioner has prayed the Hon'ble court for providing only two accused persons as apparent from para no. 3 of the IA, but in compliance of the Order of the Hon'ble court, the names and addresses of other accused persons of the case is provided, which are hereunder:-

Named and Addresses of other accused persons: –

3. Prafulla Kumar Sikdar, (Rtd.), (Emp. ID-0048558) S/o Late Sudhir Chandra Sikdar, resident of Akash Ganga Housing Society, Flat No. B-8, PS Bara Nagar, Kolkata 700036 (West Bengal).

4. Md. Shaique Husain (Rtd.), (Emp. ID-0086635) S/o Late Reyasat Husain Resident of flat No. C-11/7, Second Floor, Okhla Vihar, Jamia Nagar, New Delhi.

5. Shailendra Kishore Sharma (Rtd.) (Emp. ID-0037447) S/o Sri Awadh Kishore Sharma,



resident of Lane No. 6, Sadpura, Behind
Gandak Colony, Ramdayalu Nagar Road,
Muzaffarpur, Bihar.”

3. Since non-bailable warrants of arrest have already been issued against the accused persons who are not putting their appearance, this Court is of the considered opinion that the concerned police station to whom the warrants have been sent would not have any difficulty in executing the warrants and submitting a report to the learned Magistrate.

4. This case is being disposed of giving an opportunity to the SHO of the concerned police stations to execute the warrant(s) of arrest and submit a report to the learned jurisdictional Magistrate.

5. In terms of the order of this Court passed on 18.08.2018, the trial court in which the case is pending would be competent to monitor and supervise the execution of warrants of arrest through the Investigating Officer and to take other actions as stated in the order.

6. Learned trial court shall now proceed to take appropriate steps for execution of warrant(s) of arrest and in case of non-compliance to take appropriate action in accordance with law against the erring officials.

7. This contempt application as well as the I.A. stand disposed of.

(Rajeev Ranjan Prasad, J)

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