

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54805 of 2017

Arising Out of PS.Case No. -193 Year- 2014 Thana -SIWAN CITY District- SIWAN

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Sanjay Singh, Son of Sri Niwas Singh, Resident of Village- Siswakala, P.S.-
M.H. Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sakib Ashraf, the Chief Manager, State Bank of India, Resident of
Village- Siwan, P.O.- Siwan, P.S.- Siwan Town, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate.

For the opposite Party No. 2 SBI : Mr.Satya Prakash Tripathy, Advocate.

For the State : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 30-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Siwan (Town)**

P.S. Case No. 193 of 2014 instituted for the offence under
Sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

It is alleged in the complaint petition which was sent
to Police Station under Section 156 (3) Cr. P.C. that the informant
is Chief Manager of State Bank of India, Siwan Branch. He got
information from newspaper that an amount of Rs.96,000/- has
been illegally withdrawn from Account Number 11681162363
standing in the name of Block Education Officer, Simri
Bakhtiarpur. The informant after enquiry learnt that through
multicity cheque No. 203795, Rs.96,000/- was sent from Central



Bank of India, Siwan Branch for its clearance on 10.10.2013 and payment was made to Central Bank of India, Siwan Branch. The informant requested the Central Bank of India, Siwan Branch to return the amount vide letter No. 09/125 dated 25.10.2013 and 09/134 dated 4.11.2013. He also made request with Central Bank of India who has presented the cheque for payment but the Central Bank of India, did not provide address and details of the account holder. The Central Bank of India also refused to return back the aforesaid amount. It is further alleged that the amount has been transferred in the account of Amarjit Singh in which Sanjay Kumar Singh (petitioner) was introducer of the aforesaid cheque.

Learned counsel for the petitioner has submitted that money has been withdrawn by clearing of cheque which was presented through Central Bank of India and cleared by State Bank of India, Siwan Branch from the account of the account holder, Block Education Officer, Simri Bakhtiarpur. The petitioner has no role in aforesaid transaction in any manner.

Learned counsel for the Bank (Opposite Party No. 2) has appeared and opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Siwan (Town) P.S. Case No. 193 of 2014**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Siwan**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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