

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43365 of 2023**

Arising Out of PS. Case No.-397 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

Shahid Iqbal Son Late Md. Tasleem, Resident Of Mohalla-Ward No 28
,Maulaganj, P.S.- Laheriasarai, Distt- Darbhanga

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Laheriasarai P.S. Case No. 397 of 2018 registered for the offences punishable under Sections 420, 467, 468, 471, 406 and 409/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that on 05.08.2018 the Chief Manager, State Bank of India, V.I.P. Road, Laheriasarai, Darbhanga stated in his written statement that on account of the scheme of the RBI to provide agricultural loan to the farmers at low interest by pledging their gold ornaments, one Shri Sharad Kumar, proprietor of M/S Heera Panna Jewelers was appointed



to check the purity of the gold ornaments. He taking advantage of his position as an appraiser in the Bank authenticated forged ornaments as genuine to facilitate disbursement of loan in favour of his family members and relatives. The pledged gold ornaments were resent for valuation to some other shop after irregularities being found by the central audits of the Bank.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has taken two agricultural loans which he has returned and annexed the no dues certificate issued by the State Bank of India.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the petitioner had obtained two agricultural loans and he has returned the same which may be found from the no dues certificate issued by the State Bank of India (Annexure '3') to the present application, so, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Laheriasarai P.S. Case No. 397 of 2018 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the genuineness of the certificate as contained in Annexure '3' shall be got verified from the SBI, Laheriasarai, Darbhanga. However, the bail bond of the petitioner shall be accepted without any delay.

8. In case, the certificate is found wrong/false then consequential action shall be taken by the learned court below to cancel the bail bond of the petitioner.

9. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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