

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75468 of 2023

Arising Out of PS. Case No.-330 Year-2023 Thana- PIRBAHOR District- Patna

SHOBHA DEVI wife of Raj KUmAr Village- Sona Gopalpur Ps- Sampatchak
Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Branch Manager, Ashok Rajpath SBI, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narayan Yadav, Adv. Mr. Umesh Prasad, Adv.
For the Opposite Party/s	:	Mr. Vinod Bihari Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 22-11-2024 Heard Mr. Suraj Narayan Yadav, learned counsel for

the petitioner Mr. Vinod Bihari Sinha representing the Branch

Manager, Ashok Rajpath, Patna.

2. The petitioner apprehends his arrest in connection
with Pirbahore P.S. Case No. 330 of 2023 for the offence regis-
tered under sections 406, 420, 467, 468, 471 of the IPC lodged
on 02.05.2023 by the informant Akhil.

3. As per the prosecution story, the informant alleged
that the petitioner had taken personal loan of Rs. 10,91,400/-
and upon internal verification, the documents were found to be
forged, which led to the present case.

4. In this case, the bank was noticed and the SSP
Patna was also directed to file counter/supplementary counter



affidavit and on the questions raised by this Court on 20.09.2024, it has been informed that the petitioner had personally appeared in the bank and opened her account.

5. So far as the return of the amount is concerned, it has been recorded that the petitioner has deposited all the money in the bank.

6. The SSP Patna has also submitted that the bank has informed that the officer who has made the mistake, has been proceeded against.

7. The bank is represented and learned counsel has also affirmed that the money has come back to the bank.

8. From the aforesaid fact, one thing is clear, the petitioner was present in the bank to open the account and as such, she cannot take the alibi that someone forged all the documents and she, at no point of time had taken any loan. However, taking into account the fact that she is a lady, the entire amount has been returned to the bank, FIR is there, she will be facing the music and in that background, this Court is inclined to grant her the anticipatory bail with conditions.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of



Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Patna in connection with Pirbahore P.S. Case No. 330 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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