

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34170 of 2025

Arising Out of PS. Case No.-247 Year-2021 Thana- MAHARAJGANJ District- Siwan

Shamsher Ansari S/O Shamshad Ansari Resident of Village- Chhotka Teghra,
P.S.- Maharajganj, Distt-Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Bank of India through Branch Manager, Maharajganj
Branch, Siwan Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Bank	:	Mr. Binod Bihari Sinha, Advocate
		Mr. Ajay Dutt Mishra, Advocate
		Mr. Anirudh Prasad Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-06-2025 Heard the parties.

2. The petitioner is in custody in connection with Maharajganj P.S. Case No. 247 of 2021 for the offence punishable under sections 465, 467, 468, 471, 406, 420 and 120(B) of the Indian Penal Code by the informant, Rakesh Kumar.

3. As per the prosecution story, the informant alleged that a cheque of Rs. 9,70,000/- was issued from the Office of the Circle Officer, Tarari and presented by the petitioner which was credited in his account. Later, it came to the notice of the Branch Manager that it is a fraudulent



transaction and no such cheque has been issued. A request was made to the petitioner who chose to look the other way. This is how the FIR came to be lodged.

4. The Branch Manager is represented through the learned lawyer who submits that subsequently, Rs. 9,70,000/- has returned to the account of the Circle Office, Tarari.

5. Learned counsel for the petitioner submits that though he will have to face the trial, two FIRs have been lodged, one by the Circle Officer, Tarari and other by the Branch Manager. He further submits that without accepting the allegation and/or the outcome of the present petition, the petitioner intends to contribute Rs. 30,000/- to the Chief Minister's Relief Fund and shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

7. Taking into account the submission of the parties as also that the amount now stands returned, he has remained in custody earlier from 14.11.2023 till 18.09.2024 and later, from 20.11.2024 till date, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 30,000/- to the Chief Minister's



Relief Fund through Demand Draft and the receipt be submitted to the learned trial Court.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. VI, Siwan in connection with Maharajganj P.S. Case No. 247 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 appear before the concerned police station every month for six months to mark his attendance;

(iv) 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;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. Let the Bank statement be kept on record.

(Rajiv Roy, J)

Adnan/-

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