

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65044 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- PIRBAHOR District- Patna

Dhiraj Kumar Son of Amarnath Singh Resident of Village - Ranipur, P.S. -
Phulwari Sharif, District - Patna

... .. Petitioner/s
Versus
The State of Bihar Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Dipak Kumar, Advocate
For the State : Mr. Abhay Kumar Roy, APP
For the SBI : Mr. Rakesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 30-04-2025 Heard Mr. Dipak Kumar, learned counsel for the

petitioner, Mr. Abhay Kumar Roy, learned Additional Public

Prosecutor for the State and Mr. Rakesh Kumar Singh, learned

counsel for the SBI.

2. The petitioner is apprehending his arrest in
connection with Purbahore P.S. Case No. 7 of 2024, F.I.R. dated
02.01.2024 for the offences punishable under Sections 406, 420,
467, 468, 471, 120(B) of the IPC

3. According to prosecution case, the petitioner took
loan on the basis of false and fabricated document regarding the
BSNL staff.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been implicated
in the present case. As per FIR, allegation against the petitioner is
that he took loan of Rs.11,28,000/- (Rupees Eleven Lakh and



Twenty Eight Thousand) from the State Bank of India on the basis of forged certificates and before filing of the present FIR, the petitioner has deposited all the dues amount including the interest and the bank has also issued No Dues Certificate in favour of the petitioner.

5. Learned counsel for the Bank fairly submits that although the petitioner has returned the loan amount to the bank, the petitioner has produced the forged certificates for sanctioning of the loan amount.

6. The learned Additional Public Prosecutor and learned counsel for the SBI have vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances that petitioner has clean antecedent and he has deposited all the loan amount and the bank has also issued No Dues Certificate in favour of the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) 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. 7 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS,



2023 and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. 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.

(Rajesh Kumar Verma, J)

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