

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33461 of 2026

Arising Out of PS. Case No.-637 Year-2019 Thana- BUXAR District- Buxar

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Rama Shankar Tiwari, S/o Late Ramdahin Tiwari (Former Chief Branch Manager, Bank of Baroda, Buxar Branch Buxar), Resident of Mohalla - Fazalganj, Ward No. 9, P.S - Sasaram, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and the learned A.P.P. for the State through virtual mode.

2. The petitioner is apprehending his arrest in connection with Buxar Town P.S. Case No. 637 of 2019, registered for the offence(s) under Section(s) 420, 406, 467, 468, 471 and 472 of the Indian Penal Code.

3. As per the prosecution case, the Senior Branch Manager of Bank of Baroda, Buxar Branch gave a written complaint to the police that a loan of about Rs. 22,00,000/- was sanctioned for over draft in favour of one Vinod Singh on the



basis of 301 National Saving Certificate (NSC) alleged to be pledged as security and later, it was found that the said NSC Certificates were not genuine and, therefore, the FIR was lodged.

4. The learned counsel for the petitioner submits that the petitioner was not initially named in the FIR and subsequently during the course of investigation, he has been implicated in this case only on the basis of suspicion that he was holding the post of Chief Branch Manager at the relevant time and he might be involved in the said offence. It has further been submitted that the said loan was sanctioned on the basis of the NSC Certificates issued by the Post Office and, therefore, there was no reason for the petitioner and others to doubt the genuineness of the same and the petitioner had no role to play in the preparation of the said fabricated and forged NSC Certificates. It has next been submitted by the learned counsel for the petitioner that there is no evidence to connect the petitioner with the said crime and, in fact, from perusal of Annexure-P2, which is the Pre-Sanction Report, it would be evident that the loan proposal of the borrower/Vinod Singh was inspected and recommended by the Credit Manager, who verified the applicant's residence, business activities and the



NSC Certificates before recommending sanction of the said loan amount. It has further been pointed out that the petitioner has already faced a departmental scrutiny and has been exonerated, which also goes on to show that there was no deliberate laches on the part of the petitioner and rather the incident occurred on account of the fact that the loan was approved on the basis of the NSC Certificates, which was later on found to be forged. The learned counsel for the petitioner further submits that the petitioner is a senior citizen aged about 66 years and is also suffering from various ailments and even the department had initially directed for taking a lenient view and also to close any further action against the petitioner. It is also not the case of the prosecution that the petitioner has received any extraneous consideration for the said loan advanced in favour of the accused/Vinod Singh and no evidence has come in course of investigation to such effect. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let



the petitioner, above-named, be released on anticipatory bail, in the event of his/her arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his/her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Buxar Town P.S. Case No. 637 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond.



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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

krishna/deepak/-

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