

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31426 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Sanoj Chaudhary @ Sanoj Kumar Chaudhary, Son of Sri Baso Chaudhary @
Shri Basudev Chaudhary Resident of village - Mohabbatpur, P.S.- Shekhopur
Sarai, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49515 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

Tusri @ Munchun Chaudhary, Son of Mahendra Chaudhary R/V-
Mahabbatpur, P.S- Shekhopur Sarai, Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 31426 of 2022)

For the Petitioner/s	:	Mr. Amit Ranjan
		Mr. Kiran Kumari Sharma
For the Opposite Party/s :		Mr. Prem Kumar Jha



(In CRIMINAL MISCELLANEOUS No. 49515 of 2022)

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 02-01-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Shekhopur Sarai P. S. Case No. 139 of 2021, registered for the offences punishable under Sections 419, 420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code.

The prosecution story as emerges from the FIR is that the petitioners along with their associates used to cheat people in the name of providing them loans from Bajaj Finance and Pradhan Mantri Mudra Yojana.

Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. They further submit that main accused Shambhu Paswan has been granted bail by the court below itself and the case of the petitioner is on better footing than that of Shambhu Paswan. They further submit that some other co-



accused persons, namely Guddu Paswan and Dheeraj Paswan have been granted bail by different Benches of this Court *vide* orders dated 16.06.2022 and 23.12.2022, passed in Cr. Misc. No. 15643 of 2022 and Cr. Misc. No. 53733 of 2022, respectively.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioners have no criminal antecedents.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Sheikhpura, in connection with Shekhopur Sarai P. S. Case No. 139 of 2021, on the following conditions:

(i) The petitioners will make themselves available



for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the



petitioners.

The application stands allowed accordingly.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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