

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33567 of 2024**

Arising Out of PS. Case No.-36 Year-2024 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

Vivek Choudhary @ Vivek Kumar @ Vivek Chaudhary, (Male), aged about
35 years, S/O Jagdish Chaudhary, Resident Of Village- Mirbigha, Police
Station- Sheikhopur Sarai, District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party : Mr. Syed Mojibur Rahman, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sheikhopur Sarai P.S. Case No. 36 of 2024 dated 12.03.2024
registered for the offences punishable under Sections 406, 419,
420, 467, 468, 471 and 120B/34 of the I.P.C.

3. As per the prosecution case, the police personnel
apprehended 13 persons including the petitioner and others fled
away from the place of occurrence and two mobile phones were
recovered from possession of the petitioner. The apprehended



persons disclosed that they alongwith other accused persons are involved in providing loan to the people and also used to cheat them.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from possession of the petitioner except two mobile phones. It is further submitted that the petitioner is a resident of Mirbiga village and he is a farmer and harvesting the crops through the labourers on his field situated in Khandha i.e., the place of occurrence. It is further submitted that the real fact is that the police arrested other co-accused persons and the petitioner was working in his field and police said him to be witness in the seizure list and since the co-accused persons are his co-villagers, therefore, he denied to be witness in the seizure list, as a result, the police caught him and falsely implicated in the present case. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 13.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 36 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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