

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59062 of 2024

Arising Out of PS. Case No.-96 Year-2023 Thana- BAUNSI District- Araria

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Anil Kumar Choudhari @ Amit Kumar Choudhari Son of Ramesh Choudhari
Resident of Village - Nandanpur, P.S. - Baunsi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Baunsi P.S. Case No. 96 of 2023 dated 19.05.2023, instituted for the offence punishable under Sections 341, 323, 354(B), 420, 506, 504/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he alongwith other accused persons went to the informant's house and said that if she opens an account in Canara Bank, she will get MNREGA and government benefits. All of them took signatures and fingerprints on several documents. They opened an account in her name and withdrew Rs. 12,05,778/- from 21.08.2021 to 12.09.2022. When the informant went to the bank to inquire about this, the accused persons pushed the informant



due to which she fell down on the ground.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. From perusal of the FIR, it would appear that the petitioner is not the operator of CSP of Canara Bank. The operator of CSP is Amit Kumar Singh and the main allegation is against him to open the account in the name of the informant. From the FIR itself, it will appear that the petitioner has been shown as a broker of C.S.P. operator and except this no overt act has been alleged against the petitioner. Learned counsel for the petitioner further submits that during investigation, the I.O. got the account statement of the informant from Canara Bank but did not find any transaction in the name of the petitioner rather it has come that two times the money was transferred in the account of one Dushyant Kumar having account in the Bank of Baroda, Bousi Branch and nowhere it shows any transaction with the petitioner. It is further submitted that Amit Kumar and co-accused Mukesh Kumar handed over cheque book and ATM cards of the account holders, who were having MNREGA job card, to the Sarpanch in panchayati in which 100 of villagers participated. It is further situated that similarly situated co-accused namely, Arvind Kumar Singh @ Arvind Singh has been



granted bail vide order dated 30.08.2024 passed by this Court in Criminal Miscellaneous No. 61842 of 2024. Lastly, it has been submitted that the petitioner has not received any amount and he is in custody since 23.06.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 1st, Araria, District- Araria in Baunsi P.S. Case No. 96 of 2023.

(Khatim Reza, J)

sankalp/-

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