

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14936 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- RUPAULI District- Purnia

=====

Goutam Kumar Chaudhary @ Goutam Jaiswal, aged about 33 years (Male),
Son of Late Brahmdeo Chaudhary, Resident of Village- Dumar, P. S- Pothia,
District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sunil Prasad Singh, Advocate
For the Opposite Party : Mr. Lalan Kumar, A.P.P.

=====

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

ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Rupauli P.S. Case No. 109 of 2024 dated 20.07.2024 registered
for the offences punishable under Sections 406, 420, 467, 468,
120B read with Section 34 of the I.P.C.

3. As per the prosecution case, the informant entered
into the business transactions with Himanshu Kumar Bhagat and
his father Arjun Prasad Bhagat for sale and purchase of maize. It
is further alleged that the petitioner and other accused persons
cheated about ten persons including the informant herein of a
total sum of Rs. 5,06,33,211/-. It is further alleged that nine
named accused persons including the petitioner herein as also



Himanshu Kumar Bhagat and his father Arjun Prasad Bhagat have formed a gang and have cheated the farmers of the aforesaid amount.

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 from perusal of the F.I.R., it appears that the informant entered into the business of sale and purchase of maize with the co-accused Himanshu Kumar Bhagat and his father Arjun Prasad Bhagat and not with the petitioner. It is further submitted that the co-accused Himanshu Kumar Bhagat had some dispute with the petitioner with respect to account dispute and for which the co-accused Himanshu Kumar Bhagat had lodged Pothia P.S. Case No. 48 of 2024 on 17.06.2024 against the petitioner and others. It is further submitted that during the course of investigation, Rs. 3,77,94,450/- was recovered on 16.07.2024 from the place of Krishna Jaiswal and some documents and other articles were recovered from the house of the petitioner in presence of the informant of the present case, Subodh Kumar Jaiswal and Himanshu Kumar Bhagat who is the informant of Pothia P.S. Case No. 48 of 2024 and apparently both persons have become the witnesses of seizure of the alleged amount. It is further



submitted that in Pothia P.S. Case No. 48 of 2024, compromise has been done between Krishna Jaiswal and the petitioner with the informant and others and on that basis the petitioner and the co-accused Krishna Jaiswal have been released on conditional bail by the learned court below in B.P. No. 1077 of 2024 vide order dated 22.11.2024, annexed as Annexure- P/4 to the present bail petition. It is further submitted that the parties are admittedly businessmen but they have apparently choose to jump into criminal cases even though they had civil remedy. It is submitted that the other co-accused person, namely, Krishna Jaiswal has already been granted bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 9984 of 2025 vide order dated 12.06.2025. The petitioner has three criminal antecedents and in first case, he is on conditional bail, in second case, he is on bail but subsequently bail bond was cancelled and in third case which is anticipatory bail, interim relief was granted as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 01.10.2024.

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 as well as the period of custody, 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 C.J.M., Purnea in connection with Rupauli P.S. Case No. 109 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

