

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26011 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- SAMASTIPUR District- Samastipur

Poonam Kumari @ Punam Kumari W/o Ashwani Kumar R/o Village-
Shambhu Patti, Ward No.9, PS- Samastipur, Mufassil, Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajiv Kumar Chaudhary S/o Uday Chand Choudhary Regional Manager,
Darbhanga, Sahayak Maha Prabandhak, Bank of Baroda, Distt.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Babu Nandan Prasad, Advocate
For the Opposite Party No. 2:		Mr. Nishi Nath Ojha, Advocate
For the State	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2025 Heard Mr. Babu Nandan Prasad, learned counsel for

the petitioner, Mr. Nishi Nath Ojha, learned counsel for the

Opposite Party No. 2 and Mr. Ram Naresh Ray, learned APP for

the State.

2. The petitioner is apprehending her arrest in
connection with Samastipur Town P.S. Case No. 231 of 2024,
F.I.R. dated 30.10.2024 registered for the offences punishable
under Sections 406, 409, 420/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he has
taken loan from the Bank after mortgaging the ornaments.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. As per allegation in the F.I.R., the petitioner has taken loan from the Bank in question after mortgaging ornaments and the same was verified by the team of the Bank and after verification of the Board in question the Bank has sanctioned loan amount in favour of the petitioner. Learned counsel for the petitioner submits that after some time the Bank has verified the gold in question, it was found that the gold in question was fake gold. Learned counsel for the petitioner submits that the petitioner has no role in the present crime and he had given the original gold to the Bank but on instruction he is ready to pay the loan amount with up-to-date interest.

5. Learned counsel for the Opposite Party No. 2 as well as learned APP for the State have no objection if the petitioner is ready to pay the loan amount with up-to-date interest.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of eight weeks from the date of receipt of the order, be released on bail on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 231 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner is directed to take No Objection Certificate from the Bank and produce the same before the learned Court below at the time of furnishing bail bond.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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