

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19073 of 2025

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

Manoj Kumar Sah Son of Ram Prakash Sah R/o - Ward No.- 14 Sinhiakhurd,
P.S.- Karpuri Gram (Muffassil), Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajeev Chaudhary, Regional Manager, Bank of Baroda First floor, Diamond complex, Dilli More, Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Jiban Pd Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the Bank	:	Mr. Siddharth Harsh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-08-2025 Heard Mr. Ram Jiban Pd Singh, learned counsel for the petitioner, Mr. Siddharth Harsh, learned counsel for the Bank and Mr. Shailendra Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Town P.S. Case No. 231 of 2024, F.I.R. dated 30.10.2024 for the offences punishable under Sections 406, 409, 420, 34 of the Indian Penal Code and later on added Section 419, 467, 468, 471, 120(B) of Indian Penal Code.

3. As per the First Information Report, it is alleged that fraud was done by all gold loanees who caused damage of Rs.50.10/- lakh to the Bank by taking loan on pleading fake



ornaments in collusion of assayers.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. As per allegation in the FIR the petitioner was assigned the work of testing the gold ornaments which was placed by the customers in the Bank for loan purpose. He further submits that the gold in question which was produced before the petitioner for test, the petitioner found that the articles which was produced before the petitioner was gold and he has accordingly submitted the test report before the competent authority and on the basis of that the other co-accused persons who are loanee have been granted loan by the Bank. He further submits that the persons who have taken loan from the Bank are also made accused in the present case and they have deposited the amount with interest to the bank and after depositing the same they have been granted the privilege of anticipatory bail by this court. He further submits that co-accused person, namely Jitendra Kumar Chaudhary has been granted the privilege of anticipatory bail by this Court vide order dated 02.04.2025 in Cr.Misc.No.18546 of 2025 and other co-accused persons have been granted bail by different co-ordinate Benches of this court.



5. The learned Additional Public Prosecutor and learned counsel for the Bank have vehemently opposed the prayer for bail of the petitioner on the ground that due to inaction of the petitioner the present occurrence has taken place

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Samastipur in connection with 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 the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. 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 his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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