

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19092 of 2025

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

Ajeet Kumar Son of Umesh Mahto Resident of Village - Satmalpur Ward No.
2, Police Station - Muffasil, District - Samastipur

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Rajeev Kumar Choudary Son of Uday Chandra Chodhary Branch Head,
Bank of Baroda, Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP
For the Bank of Baroda : Mr. Siddharth Harsh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-04-2025 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner, Mr. Siddharth Harsh, learned counsel for the Bank of

Baroda and Mr. Rajendra Nath Jha, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Samastipur Town P.S.Case No.231 of 2024,
FIR dated 30.10.2024 registered for the offences punishable
under Sections 406, 409/34 and 420 of IPC wherein Sections
419, 467, 468, 120B of IPC were later on added.

3. The prosecution story, in short, is that the informant
wrote letter dated 30.10.2024 to the S.H.O. that during the risk
based internal audit in the Branch, irregularities of serious



nature were found by the Internal Auditor. Apart from this, on re-examination of gold ornaments pledged, out of 25 loan accounts, gold pledged in 23 loan accounts were found to be fake. After this, a report was submitted by investigator Vicky Thakur, which revealed that gold pledged under 25 gold loan accounts whose total sanctioned loan amount is Rs. 56.89 lakh was found to be fake and as per the instructions of the bank, Rahul Kumar, Amarjeet Shah and Manoj Kumar Shah were appointed as investigators in the panel of gold ornaments verification at the time of sanctioning the loan and they had provided a report regarding the purity of gold.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. As per allegation in the FIR, the petitioner and other co-accused persons have pledged gold ornaments with respect to loan amount in question and it has been found that the gold which was pledged by the petitioner and other co-accused persons were fake gold and on that basis, the present FIR has been instituted. Learned counsel for the petitioner submits that petitioner is one of the loanee and on instruction, fairly submits that the petitioner is ready to pay the outstanding loan amount of Rs. 2.9 lacs to the Bank with up-to-



date interest. Although it has been mentioned that on the date of lodging of the FIR, total loan amount was Rs. 2.9 Lacs but the petitioner is ready to pay up-to-date interest as per Bank Rules.

5. Learned counsel for the Bank of Baroda has no objection in this regard.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of two months 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 learned C.J.M., 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 Cr. P.C. subject to the following conditions:-

(i). Petitioner shall produce "No Dues Certificate" from the Bank at the time of furnishing bail bond. Bank is directed to provide "No Dues Certificate" after receiving up-to-date loan amount with interest to the petitioner.

(ii). 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.

(iii). 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.

(iv). 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Khatim Reza, J)

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