

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18573 of 2025

Arising Out of PS. Case No.-77 Year-2021 Thana- MINAPUR District- Muzaffarpur

Vijay Kumar Choudhary Son of Ram Vilash Choudhary Resident of Village-
Kashi Pakri, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Awadhesh Kumar Son of Mahadev Bhagat Resident of Vill- Bahbal Bazar,
P.S.- Meenapur, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shanti Bhushan Singh, Advocate
For the Informant	:	Mr. Prasoon Kumar, Advocate
For the State	:	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 02-07-2025 Heard Mr. Shanti Bhushan Singh, learned counsel for
the petitioner, Mr. Prasoon Kumar, learned counsel for the
Informant and Mr. Bharat Lal, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Meenapur P.S. Case No. 77 of 2021, F.I.R. dated
10.03.2021 registered for the offences punishable under Sections
420, 406/34 of the Indian Penal Code and later on Section 120(B)
of the Indian Penal Code and Section 03 of B.P.I.D. Act was added
by order dated 10.05.2023.

3. Allegation against the petitioner is that he along with
other co-accused persons fraudulently made the informant an
agent of Swarn India Multi State Credit Co-operative Society
Limited and later on he came to know that they have closed the



local as well as the head office of the said Society and switched off their mobile phones.

4. Learned counsel for the petitioner submits that the petitioner is innocent 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. In fact, the petitioner was working as an agent of Swarn India Multi State Credit Co-operative Society Limited since the year 2016 and as per allegation in the F.I.R., the petitioner and other co-accused persons came to the house of the informant and they have induced him to become an agent of a Bank namely Swarn India Multi State Credit Co-operative Society Limited and from perusal of the F.I.R. it appears that the informant has not become the member of the Society as mentioned aforesaid and the present F.I.R. instituted only to harass the petitioner and even the informant has not filed any chit of paper which suggests that the petitioner has received any amount from the informant.

5. Learned counsel for the Informant as well as learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that petitioner carries nine more cases other than the present one but fairly submits that out of nine cases the



petitioner is on bail in eight cases.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Meenapur P.S. Case No. 77 of 2021, 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 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.

(2) 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.

(3) 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.

(Rajesh Kumar Verma, J)

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