

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24910 of 2025

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

Najara Khatun S/o Mohammad Sagir @ Md. Sagir Resident of Village-
Mathurapur, Ward No. 9, Police Station- Mathurapur O.P., District-
Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajeev Kumar Choudary S/o Uday Chandra Choudhary Branch Head, Bank
of Baroda, Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate Ms. Mili Kumari, Advocate
For the O.P. No. 2	:	Mr. Sanjay Singh Thakur, Advocate
For the State	:	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2025 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Mr. Sunil Kumar, learned Additional Public

Prosecutor for the State as well as learned counsel for the O.P.

No. 2.

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 for the offences punishable under
Sections 406, 409, 34 and 420 of the Indian Penal Code,
wherein Sections 419, 467, 468, 471 and 120(B) of the Indian
Penal Code was later on added.

3. According to prosecution case, the informant



made a complaint to the S.H.O. that the petitioner has deposited fake gold ornaments as security for obtaining loan from the Bank in question.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. Petitioner has taken loan amount from the bank of after depositing the original ornaments but the same was found fake He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and the co-accused, namely, Kanchan Devi against whom there is similar nature of allegation has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 01.05.2025 in Cr. Misc. No. 20836 of 2025. He further submits that from perusal of the F.I.R it appears that the petitioner has taken loan from the bank but the same was found fake. He further submits that the bank after verifying the same by Rahul Kumar, Amarjeet Shah and Mnaoj Kumar Shaw, who were gold appraiser/valuer of the bank, issued a certificate which suggests that the gold in question which was furnished by the petitioner was genuine. On instruction, learned counsel for the petitioner further submits that the petitioner is ready to pay the amount of



Rs. 2,56,000/- (Rs. Two lakhs, fifty six thousand) along with up-to-date interest to the O.P. No. 2 i.e. Bank of Baroda, Samastipur Branch.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 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/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Learned counsel for the petitioner is directed to deposit the aforesaid amount along with interest before the Bank and to take No Objection Certificate (NOC) from the Bank and produce the same before the learned Court below at the time of furnishing bail bond.

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 her absence on two consecutive dates without sufficient reason, her 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 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)

Jyoti Kumari/-

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