

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21140 of 2025

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

Nirmalkant Chaudhary @ Nirmal Kant Choudhary, S/o Lakshmi Kant Chaudhary, Resident of Village- Balipur, Ward No. 04, Police Station- Muffasil, District- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar
2. Rajeev Kumar Choudhary, son of Uday Chandra Choudhary, Branch Head, Bank of Baroda, Samastipur.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shashank Shekhar, Advocate.
For the State	:	Mr. Sunil Kumar Pandey, Advocate.
For the O.P. No. 2	:	Mr. Siddharth Harsh, Advocate.

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Opposite Party No. 2.

2. The petitioner seeks bail, apprehending his arrest, in connection with Samastipur Town P.S. Case No. 231 of 2024, dated 30.10.2024 registered for the offences punishable under Sections 406, 409, 34 and 420 of the Indian Penal Code. Subsequently, Sections 419, 467, 468, 471 and 120(B) of the Indian Penal Code were added.

3. As per allegation, the petitioner has deposited fake gold ornaments as security for obtaining loan from the Bank. However, learned counsel for the petitioner submits that the petitioner is ready to repay the whole loan amount with interest



to the Bank within a period of two months and get NOC and file NOC at the time of filing bail bonds if he is enlarged on anticipatory bail.

4. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on her furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned court below in connection with Samastipur Town P.S. Case No. 231 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) That at the time of filing bail bonds, the petitioner



will deposit NOC obtained from the Bank concerned in regard to loan taken by the petitioner from the Bank and the bail bonds must be filed within two months.

(ii) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(iii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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