

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36058 of 2025

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

Rinesh Kumar Gupta S/O Ganga Prasad Gupta Resident of village- Ghoshelean, ward no. 17, P.S.- Town, P.s.- Samastipur, Dist.- Samastipur.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Bank of Baroda, Samastipur Branch Samastipur Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-07-2025 Heard Mr. Akshay Kumar, learned counsel for the petitioner and Mr. Ramesh Chandra, 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, F.I.R. dated 30.10.2024 for the offences punishable under Sections 406, 409, 34 and 429 of the Indian Penal Code and later on Sections 419, 467, 458 and 120B of the Indian Penal Code were added.

3. According to prosecution case, irregularities were found in sanctioning of loan amount i.e., on the basis of gold loan by submitting fake gold to the bank.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been 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 offences as alleged in the F.I.R. As per the allegation in the F.I.R, petitioner has taken loan from bank in lieu of gold ornaments in his bank account and later or after verification it was found to be fake. He further submits that the gold was duly verified by the panel goldsmith and thereafter, the bank has issued loan in favour of the petitioner. He further submits that on the basis of instructions the petitioner is ready to return the loan amount with up-to-date interest to the bank. He further submits that the similarly situated co-accused, namely, Jitendra Kumar Chaudhary has been granted anticipatory bail by this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 18546 of 2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner is ready to pay the loan amount in question to the bank with up-to-date interest, 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 / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall produce no dues certificate from the bank at the time of furnishing bail bonds.

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.

(Rajesh Kumar Verma, J)

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