

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71689 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- RAJAOLI District- Nawada

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Birendra Chaudhary Son of Basudeo Chaudhari @ Baso Chaudhari R/o
Village- Karmakala, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-01-2025 Heard learned Senior Counsel for the petitioner, Mr.
N.K. Agrawal as well as learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 406, 420, 34 of the IPC in connection with Rajauli P.S. Case No.295 of 2023.

3. The learned Senior Counsel for the petitioner submits that petitioner has antecedent of five cases and the informant alleges that he along with his brother in the year 2021 got loan sanctioned from Punjab National Bank, further alleges that loan of Rs.5 lakhs was sanctioned in the name of Laxmi Traders and Rs.9,75,000/- in the name of Dilip Radium Art, further informant did not withdraw a single penny from the sanctioned loan, next alleges that Bank Manager, Rakesh Pandey at the time of sanctioning the loan had got fourteen blank cheques signed by him and his brother (Dilip), further an



amount of Rs.5 lakhs was withdrawn through four cheques as detailed in the FIR by the Bank Manager in connivance with other accused persons, further an amount of Rs.9 lakhs was also withdrawn from the account of his brother through three cheques as detailed in the FIR, thus alleges that the amount was fraudulently withdrawn by the Bank Manager in connivance of the accused persons including the petitioner.

4. The learned Senior Counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner is not a Bank employee nor he has taken the signed cheques from the informant and his brother. It is also submitted that petitioner is in custody since 23.05.2024. It is also submitted that from perusal of the allegation as alleged in the FIR it would manifest that the petitioner has been implicated in the instant case based on suspicion.

5. The learned APP, Mr. Rabindra Kumar opposes the bail application and submits that petitioner has antecedent of five cases and in the event if bail is granted the petitioner may abscond, on which the learned Senior Counsel submits that petitioner will not abscond rather will cooperate in the trial to prove his innocence.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Ist, Nawada in connection with Rajauli P.S. Case No.295 of 2023 with a further condition that one of the bailor of the petitioner shall be his father, Basudeo Chaudhari @ Baso Chaudhari.

7. However, in the event if the learned trial court comes to a conclusion that petitioner after being released on bail is trying to delay the trial in any manner, the trial court would be at liberty to cancel the bail bonds of the petitioner.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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