

**The court of District & Additional Sessions Judge - 2, Muzaffarpur
A.B.P. No. 2000/2026**

In the matter Of :

1. Sujeet Kumar, S/o- L.P. Srivastava
R/o Village- Devi lodge street, P.S.- Brahampura, District- Muzaffarpur.

---- Petitioner.

Vs

The State of Bihar

---- Prosecution.

(In connection with Mushahari P.S Case No. 172/2024)

Counsel for the petitioner : Sri Ajay Kumar Chauhan, Ld. Advocate

Counsel for the State : Sri Ram Narayan Rai, Ld. A. P. P.

ORDER

Date : 12/06/2026

1. The above named petitioner seeks “Anticipatory Bail” in connection with **Mushahari P.S Case No.172/2024** for offences punishable u/ss 406,420,467,468,34,120-B of IPC and due to apprehension of his arrest in this case. Copy of the same to be served to Ld. Addl.P.P. on behalf of State.
2. The learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence and has falsely been implicated in this case and has got no criminal antecedent. It is further submitted that before mortgage of the Bank authority examined his gold by specialist gold smith of Bank and found original then sanctioned loan. It is further submitted that the petitioner went to bank authority several times to get his gold but the authorities caused undue delay and the Bank authority wants to grab the original gold of the petitioner. Further it is submitted that he already deposit to the loan amount earlier received by him in three installment along with other liabilities. Hence, prayed for anticipatory bail.
3. On behalf of, the Ld. A.P.P. for the State has opposed the prayer for anticipatory bail.
4. That prosecution story in brief of the informant Awadhesh Sah is that Sujeet Kumar approached Rohua Branch (formerly Andhra Bank) for gold financing on 07.10.2017 by depositing his gold bangles (7 piece) and two gold chain with the jewellery. Subsequently for valuation and calculation of the value of gold, Bhola Prasad(goldsmith) was called and based on his valuation, Sujeet Kumar , a loan of Rs. 2 Lakh was sanctioned to him and after execution of necessary loan documents he availed the loan. Later, Sujeet Kumar failed to repay the loan amount along with interest and the loan amount became non-refundable to the bank. The Bank made several requests to the borrower, Sujeet Kumar to repay the loan amount but he did not respond positively and did not deposit a single penny. Subsequently, as per the bank’s norms, another listed goldsmith, Ramesh Kumar was called to revalue the pledged gold ornaments so that the same could be auctioned to settle the bank loan and Ramesh Kumar said that

the gold ornaments were impure and were plated with other metals, hence he could not recover the value of the ornaments deposited by Sujeet Kumar. It is further alleged that the borrower Sujeet Kumar, with the intention of causing wrongful loss to their bank and wrongful gain to himself entered into an agreement with the assessor Bhola Prasad to commit fraud by misrepresenting impure gold as pure gold and obtaining a loan of Rs. 2 Lakh from the bank for personal use and failing to repay the loan amount.

5. Having considered the submission made by the rival of the parties and on perusal of the record it appears that the petitioner named in FIR and he received of Rs. 2 lakhs from Union Bank of India, Branch Rohua, P.S. Mushahari, Distt. Muzaffarpur as gold loan. He deposited the some of amounts of gold to the concern bank but later on he has not to deposit the loan amount to concern bank, thereafter the bank revalued the said gold to the goldsmith and after revaluation the said gold is not in a order or as duplicate. The concern bank declared N.P.A. of the said gold amount and given notice to the petitioner but in-vain. Thereafter, the bank had filed a Criminal case against the petitioner. In this regard the learned counsel of the petitioner to ready to deposit the loan amount to concern bank in three installments. Therefore, I am of the view that the petitioner is deserve to anticipatory bail. Therefore, the anticipatory bail of the petitioner is hereby **allowed** with condition that the petitioner is directed that before filing of the bail bond he deposit Rs. 1 lakh to concerned bank and after filing of bail bond remaining amount return to concern bank in two equal parts in the third week of July and August, 2026.
6. It is hereby directed that in the event of arrest or surrender before the learned Court below within 30 days from the receipt of a copy of this order, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of the like amount each with satisfaction of the learned trial court.

Dictated

Sd/-

Additional Sessions Judge- 2nd
Muzaffarpur