

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41665 of 2015

Arising Out of PS.Case No. -200 Year- 2012 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sushil Thakur S/o Sri Dinanath Thakur Resident of SATpipra Bhumihari
Tola, P.S. Ramgarwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Azizur Rahman, S/o Motiur Rahman, Village- Kathmaliya, P.S.-
Shikargunj, District- East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dayanand Singh

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 08-10-2015 Heard learned counsels for the petitioner and

the State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections
395,394,386 and 420 of the Indian Penal Code.

The prosecution case is that Shekh Afroz Alam
alias Afroz Alam got financed a Marcopolo Star bus from
Tata Motors Finance Limited but in the owner book the
name of Afroz Alam has been mentioned as Shekh Afroz,
as a result, the Transport Department did not permit to ply
the vehicle. The correction was not made by the dealer

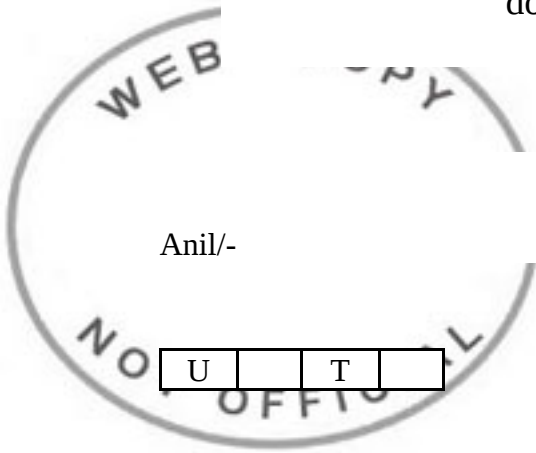
and consequently a writ application was filed before this court. Subsequently, it is alleged that the bus was repossessed by the financier.

It is submitted by the learned counsel for the petitioner that the petitioner is working as authorized repossessor in the finance company. Since the person in whose favour the vehicle was financed is not making repayment of loan amount, the possession of the vehicle was taken.

Considering the fact that earlier the police case was lodged at the instance of Afroz Alam wherein the final form was submitted as mistake of fact and considering the nature of accusation co accused U.P. Sinha, the Chief Executive Officer of the Tata Motors Finance Limited has been granted anticipatory bail vide Cr. Misc. No. 25097 of 2014, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikarhna, Dhaka, Motihari in connection with Chiraiya



P.S. Case No.200 of 2012 subject to the conditions as laid
down under Section 438(2) Cr.P.C.



Anil/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--