

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53585 of 2015

Arising Out of PS.Case No. -746 Year- 2015 Thana -SITAMARHI District- SITAMARHI

=====

1. Awadhesh Kumar Singh Son of Ram Vinay Singh, Resident of Village – Mohanpur, Mehsoul, West, Ward No.-9, P.S. + District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari

For the Opposite Party/s : Mr. Gulnar Begum(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-11-2015

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

The prosecution case is that the informant purchased Tata Sumo Gold vehicle after getting it financed through Tata Motor Finance Company on payment of Rs. 1,70,000/- and the rest amount was to be paid on the monthly installment of Rs. 16,240/-. Subsequently the petitioner took vehicle for one week on payment of Rs. 800/- per month but he did not return the vehicle.

It is submitted by learned counsel for the petitioner that accusation has been levelled but distracting the actual fact. Actually the petitioner purchased the vehicle in question and subsequently under an agreement handed over the vehicle to the informant for Rs. 1,70,000/- with stipulation

that informant has to pay Rs. 16,240/- per month in 43 monthly installments to the Tata Motor Finance Company but the informant defaulted, as a result the Tate Motor Finance Company gave notice to the petitioner and ultimately the matter was referred to arbitration and since petitioner had to repay the loan amount as the vehicle was registered in his name, hence the vehicle was not returned to the informant.

Considering the nature of accusation and the documents on record suggesting that petitioner being the registered owner of the vehicle in question, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 746 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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