

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14588 of 2015

Arising Out of PS.Case No. -74 Year- 2013 Thana -OBRA District- AURANGABAD

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Krishna Sao @ Krishna Sah Son of Late Balgovind Sao

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramakant Son of Late Trioveni Sharma

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. R.S. Chaudhary (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 406 of the Indian Penal Code.

It is alleged that the petitioner took loan of Rs.8 lacs from the Aranda branch of Madya Bihar Gramin Bank on the undertaking to return the loan amount after sell of paddy but the same was not repaid.

It is submitted by learned counsel for the petitioner that the petitioner wants to return the loan amount in time but due to sudden death of his son the petitioner could return the same. The petitioner is still ready to return the loan amount with interest. Moreover, the bank has initiated a proceeding against the petitioner under the provisions of SARFAESI Act. The petitioner

undertakes to deposit Rs. two lac within a period of two months.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for a period of two months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Daudnagar in connection with Obera P.S. Case No.74 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on receiving report from the bank with respect to deposit of Rs.two lacs by the petitioner.

(Dinesh Kumar Singh, J)

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