

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51683 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -KASIMBAZAR District- MUNGER

Sunil Kumar @ Sujit Kumar son of Late Deo Narain Prasad Keshri, resident of S.N. Enterprises, Mahindra and Mahindra Tractor, Munger, Jamalpur Road Near Hawaii Adda Naulakha Police Station Kasim Bazar in the District Munger. Permanent resident of Bekapur, Kiranapatti, P.S.- Kotwali District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-11-2015

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Kasim Bazar P.S. Case No. 91/2015 registered under Sections 323, 324, 379, 420, 467 and 468 read with 34 of the Indian Penal Code.

It is contended that the entire prosecution case is based on false allegation. No occurrence as alleged took place and the informant is trying to take undue advantage by lodging



false case against the officers of the bank and employees of M/s S.N. Enterprises, an authorized dealer of Mahindra tractor. The informant had purchased a tractor on loan under Credit Guarantee Fund Trust for Micro Small Enterprise scheme and, as such, he was not entitled for subsidy amount of Rs. 45,000/- on agricultural loan and the petitioner being a subordinate staff of M/s S.N. Enterprises had no concern with the disbursement of loan to the informant of the case. However, the informant somehow got his loan account converted into agricultural loan and got the subsidy over the loaned amount.

It is further contended that the petitioner has got no criminal antecedent and he has got roots in the society. In case he is granted privilege of anticipatory bail, he is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Munger

in connection with Kasim Bazar P.S. Case No. 91 of 2015
subject to the conditions as laid down under Section 438(2) Cr.
P.C.

(Ashwani Kumar Singh, J.)

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