

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28556 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

Nirbhay Nath Tiwari @ Nirbhay Tiwari Son of Sri Deo Murti Tiwari
resident of Mohalla - Shivajee Colony, P.S. - K.Hat, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ujjal Debnath Son of Sri P.N. Debnath resident of Village - School Para Ward No. 07, P.S. - Karandighi, P.O. - Dalkola, District - Uttar Dinajpur, West Bengal - 733201.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Nand Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 406,420 and 120(B) of the Indian Penal
Code.

The prosecution case, in short, is that the Branch in-
charge of Muthoot Finance Limited gave a written statement
against the petitioner and others before the Officer-in-charge,
Kishanganj Police Station. The allegation against the petitioner is
that the petitioner along with other co-accused facilitated a loan of
Rs.9,98,500/- on false gold ornaments offered by one Nipen
Singh.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. The petitioner has been made accused due to mistake of fact. The petitioner is ready to deposit an amount of Rs.1,00,000/- in the Court below, which shall be subject to the final disposal of the case. The said amount will be deposited within a period of four months from today.

On behalf of the State, it is submitted that the petitioner is named in the first information report.

Considering the aforesaid facts, the petitioner is directed to deposit an amount of Rs.1,00,000/- in the court below, which shall be subject to the final disposal of the case, within a period of four months from today and till then he shall be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No.133 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. It is further directed that once the petitioner deposits the entire amount of Rs.1,00,000/-, the provisional bail of the petitioner shall be confirmed by the Court below.

(Sudhir Singh, J)

V.P.Sinha/-

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