

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9173 of 2016

Arising Out of PS.Case No. -452 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Mahendra Prasad Jaiswal, Son of Late Jagarnath Prasad Jaiswal, Resident of
village + Post office + Police Station - Mohania, District - Kaimur
(Bhabhua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal, Advocate

For the Opposite Party/s : Mr. Smt. Sangita Sharma (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-03-2016

Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel for the Madhya Bihar
Gramin Bank.

Petitioner apprehends arrest in connection with
Mohania P.S. Case No. 452/15 for offences alleged under Sections
409/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that the petitioner had taken a loan of Rs. 15 lakhs under Cash
Credit Scheme in which land of one Nagendra Prasad Jaiswal was
mortgaged. Subsequently, the loan account became irregular and
was recalled. The Bank took steps under the SARFAESI Act but
found that the said mortgaged land was earlier mortgaged to
another Bank.

Learned counsel for the petitioner, however, submits that petitioner is ready to liquidate the entire dues of the Bank and agrees to sit with the Bank officials for settlement of the dues.

On such undertaking of the petitioner to negotiate with the Bank authorities for liquidation of the Bank's dues within a fortnight, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur (Bhabhua), in connection with Mohania P.S. Case No. 452/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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