

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4464 of 2016

Arising Out of PS.Case No. -337 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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1. SANTOSH KUMAR BHARTIA @ S.K.BHARTIA Son of Late Narayan Prasad Bhartia, Resident of 49/37 A, Rabindra Sarani, Post and P.S. Rishra, District - Hooghly (West Bengal).
 2. Usha Rajgarha, Wife of Late Ramesh Kumar Rajgarhia, Resident of 3/2, Qyeens, Park, P.S. - Balligarh, District - Kolkata (West Bengal).
 3. Udit Rajgarhia Wife of Alok Rajgarhia, Resident of R-116, Great Kailash - I, Basement, New Delhi - 48.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016

Heard learned counsels for the petitioners and the State.

The petitioners being the directors of M/s Lotus Credit (P) Ltd. are apprehending arrest in a case registered for the offences punishable under Sections 406, 420 and 120B of the Indian Penal Code.

The prosecution case is that the informant purchased a truck in the year 1992 under Heir Purchase Agreement executed between the informant and M/s Lotus Credit (P) Ltd.,. The loan amount was to be repaid in thirty installments, subsequently the truck was seized by the Officer In-charge, K. Hat police station for non-payment or road taxes, subsequently the same was released in

pursuance to the order dated 28.11.1994 passed by learned Special Judge, City Civil Court, Calcutta, hence it is alleged that the accused persons misappropriated the truck of the informant.

It is submitted by learned counsel for the petitioners that the truck was financed in the year 1992 when it was seized in the year 1994 which was released in the year 1994 whereas the petitioners became Director of the said company in the year 1998, 2005 and 2007, much after the release of the truck whereas the present FIR was lodged in the year 2014.

Considering the delayed nature of accusation, let the above named petitioners be released on anticipatory bail, 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea in connection with K.Hat P.S. Case No. 337 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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