

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17725 of 2016

Arising Out of PS.Case No. -478 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

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Mukesh Kumar son of Uma Shankar Prasad Resident of Village- Hajiapur,
Ward No.28, P.S. Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Surendra Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Gopalganj (Town) P.S. Case No. 478 of 2014 registered for
offences punishable under Sections 420, 467, 468, 471 and 120(B)
of the Indian Penal Code.

The First Information Report has been lodged by the
Chief Manager, State Bank of India, Main Branch, Gopalganj
stating therein that M/s Nagina Motors has delivered a number of
Piaggio and other vehicles for which amongst the other co-
accused, petitioner had taken loan of Rs. 2,92,000/- on the basis of
forged registration and insurance papers.

It has been submitted by the learned counsel for the



petitioner that petitioner is agreed to deposit the entire loan amount of Rs. 2,92,000/- along with the interest accrued on the principal amount, less the payment already made, in monthly instalments within six months. It has further been submitted that other co-accused, Hemant Kumar, Proprietor of Nagina Motors and the purchasers of the said vehicles have since been granted the privilege of anticipatory bail in Cr. Misc. No. 26036 of 2015 on 26.02.2016 and Cr. Misc. No. 13134 of 2016 on 31.03.2016 by different Coordinate Bench of this Court.

However, learned A.P.P. for the State submits that the petitioner had taken loan on basis of the forged documents and is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioner is ready to deposit the entire loan amount with interest in monthly instalments within six months, let the petitioner, above named, on such undertaking, 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 only) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, District Gopalganj in connection with Gopalganj (Town) P.S.

Case No. 478 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

However, it is made clear that the informant-bank will fix the monthly instalment of the loan amount for payment by the petitioner within six months and if it is brought to the notice of the learned Court below that petitioner defaulted in payment of loan amount, learned Court below will be at liberty to cancel his bail bond without being prejudiced by this order.

(Nilu Agrawal, J.)

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