

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35227 of 2016

Arising Out of PS.Case No. -708 Year- 2015 Thana -NAWADA District- NAWADA

=====

Niraj Kumar son of Shri Krishna Prasad resident of Mohalla- North Krishna Puri, Housing No. 40/4 Kunwar Singh, Path P.S.- Shri Krishna - Puri, District- Patna, Pin Code No. 800013

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-09-2016

Heard the counsel for the petitioner and the State.

The petitioner is an officer of the Vijya Bank and has been charged for an offence punishable under Sections 420, 467, 468 of the Indian Penal Code vide Nawada Nagar P.S. Case No. 708 of 2015.

The allegation is that the petitioner cheated the informant of Rs. 3 lacs. Although, it was agreed for purchase of digital X-ray machine at the cost of Rs. 11,50,000/- but fraudulently a document was created, whereafter for purchase of digital machine a sum of Rs. 14,50,000/- was advanced by the Bank.

It is stated that having defaulted in making payment of the loan dues, the respondent-Bank initiated proceedings against the petitioner under the Securitization and Reconstruction of

Financial Assets and Enforcement of Security Interest Act-2002, whereafter the extant case is filed.

Referring to the averment in the bail petition is stated that the Bank Draft of the said amount was made available by the Bank to the informant for purchase of digital X-ray machine. Another co-accused of this case namely, Ajit Kumar has been granted anticipatory bail vide order dated 29.08.2016 passed in Cr. Misc. No. 35041 of 2016.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in Nawada Nagar P.S. Case No. 708 of 2015, subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

rohit/-

U		T	
---	--	---	--