

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20466 of 2016

Arising Out of PS.Case No. -734 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

=====

Asharaf Ali son of Quayaum.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the PNB : Mr. Ravindfra Kumar Rai, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code.

The prosecution case is that the petitioner took loan of Rs. 2.5 laksh from Punjab National Bank, Jawahar Lal Road, Muzaffarpur and mortgaged his residential land appertaining to Khata No. 84, Plot No. 1185 and 1186, area 2.8 decimals situated at Bela Chhapra but the petitioner failed to repay the loan amount, hence the account became N.P.A. then the bank took possession of the mortgaged land under the provisions of SARFAESI Act but at the time of auction of the mortgaged property, it was found that the property has been sold by the petitioner to someone else.

It is submitted by learned counsel for the petitioner that though the petitioner has filed an appeal against the order passed under SARFAESI Act but the petitioner is ready to repay the loan amount along with update interest within a period of two months.

The counsel for the PNB submits that the bank is interested in getting its loan amount with update interest.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for ten weeks, 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 734 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below if the petitioner files proof that he has returned the entire loan amount along with update interest.

(Dinesh Kumar Singh, J)

Amrendra/-

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