

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19564 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

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Shyam Sundar Prasad, Son of Moti Prasad, Resident of Village- Agani,
P.S.- Belaganj, Dist- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 09-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Telhara
P.S. Case No. 126 of 2015, registered under Section 420 and 406
of the Indian Penal Code.

The prosecution case is that the informant Jitendra
Prasad purchased a tractor along with trailer after talking the
loan from Magma Finance Limited. On 16.09.2013, a sum of Rs.
12,815/- was paid as a monthly installment to the said finance
company. On 17.09.2014, the petitioner being relative
approached for purchasing the said tractor then the informant
sold the tractor on Rs. 1,80,000/- with condition that remaining
installment amount would be paid by the petitioner in 36

installment total amount of Rs. 4,61,340/-, but this petitioner did not pay the installment and also not deposited dues of Rs. 35000/- of Islampur Agency. As such the petitioner has committed fraud with the informant.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that the tractor, which is said to be sold to the petitioner was purchased by the petitioner on taking loan as there was no sell of tractor by the informant to this petitioner and the present case has been lodged by the informant with ulterior motive and the petitioner having no criminal antecedent is in custody since 06.02.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. Hilsa at Nalanda in connection with Telhara P.S. Case No. 126 of 2015.

(Rajendra Kumar Mishra, J)

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