

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22585 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -KARAKAT District- SASARAM (ROHTAS)

1. Ramjee Prasad Chaurasiya, S/o Dasharath Chaurasiya, Resident of
Village- Budhawal, P.S.- Karakat, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 20-08-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out
of Karakat P.S. Case no. 51 of 2016, disclosing offences under
Sections 406 and 420 of the Indian Penal Code.

The allegation against the petitioner is that he availed a
loan of Rs. 5,25,000/- from Madhya Bihar Gramin Bank, Branch
Gorari and also got a cash credit facility to the tune of Rs.
9,37,000/-, in the year 2011, for the purpose of establishing and
running small scale “Box Industry”. It is alleged against him
that he did not repay the amount to the Bank and without any
notice, shut down the Industry and shifted to a different place.

Learned counsel appearing on behalf of the petitioner
has submitted that no offence under Section 406 of the Indian

Penal Code is made out, inasmuch as there is no allegation that the petitioner had any intention to cheat the Bank from the very date of inception of the land agreement. He has also submitted that considering the nature of accusation and the status of the petitioner, there is no chance the petitioner shall be fleeing from the course of investigation or trial.

Considering the above, this application is allowed. Let the petitioner above-named, in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bikramganj, Rohtas in Karakat P.S. Case No. 51 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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