IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4455 of 2016

Arising Out of PS.Case No. -459 Year- 2015 Thana -KANKARBAGH District- PATNA

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Yogesh Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ramashankar Singh, Adv.
For the Opposite Party/s : Mr. Smt. Sangita Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code.

The prosecution case is that the petitioner along with 24 other persons took loan from the State Bank of India for purchase of car. During enquiry, it was found that the petitioners submitted copy of forged income tax return. It is further alleged that price of car was under-valued in the quotation submitted by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner admits the loan amount and he is repaying the loan amount regularly. Moreover, loan was granted after verification of all the documents including income tax return. The petitioner still claims that he submitted genuine income tax return.

Learned counsel for the State Bank of India submits that after proper enquiry, the case has been lodged, however, he is not disputing the fact the petitioner is repaying the loan amount.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for six months, 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., Patna in connection with Kankarbagh P.S. Case No. 459 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below get the copy of income tax return of the petitioner submitted before the bank verified from the income tax department and if it is found that copy of genuine income tax return was submitted by the petitioner then the provisional bail of the petitioner will be confirmed but if it is found that the income tax return submitted by the petitioner is not genuine then the petitioner will surrender and pray for regular bail.

In the eventuality of learned court below comes to the conclusion that copy of genuine income tax return was submitted by the petitioner then the learned court below will recommend the controlling officer of the informant to take appropriate action against the informant.

(Dinesh Kumar Singh, J)

Amrendra/-

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