

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5950 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

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1. Nandu Paswan Son of Siyasharan Paswan
2. Amarjit Paswan son of Siyasharan Paswan
3. Bodhi Paswan son of Siyasharan Paswan All are Resident of Village
Koari Bigha, P.s makhdumpur, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-02-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Khudaganj Police Station Case No. 131 of
2015, disclosing offences under Sections 467, 468, 371,
420, 406, 120(B), 323, 341, 504, 379/34 of the Indian
Penal Code.

The present police case arises out of a complaint
case lodged by the informant alleging therein that he had
purchased a tractor, which was financed by Magma Finance
Company. Against the loan advanced in favour of the
informant, he was required to pay monthly instalments.
Allegation is that the petitioners had hired the tractor with
an undertaking that they will be paying the monthly

instalments to the finance company. Initially, the petitioners made payment of instalments to the finance company, but, subsequently, they stopped making payment. This cause huge loss to the informant, as per the case of the prosecution.

Learned Counsel for the petitioners submits that there is/was no such agreement between the petitioners on the one side and the informant on the other, as alleged in the complaint petition.

Considering the nature of accusation and the dispute between the parties, this application is allowed.

Let the petitioners, namely, Nandu Paswan, Amarjit Paswan and Bodhi Paswan, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Nalanda, in connection with Khudaganj Police Station Case No. 131 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the same may be, as and when required

and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)