

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14632 of 2016

Arising Out of P. S. Case No. -44 Year- 2016 Thana -BUXAR

District- BUXAR

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1. Smt. Pakesh Rai @ Pinkesh Rai, Wife of Deepak Kumar Rai @ Deepak Rai.

2. Deepak Rai @ Deepak Kumar Rai, Son of Late Ghanshyam Rai.

Both residents of Village-Baraka Nuaon, P.S.-Buxar (M), District-Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Anand Mohan Raman, Son of Late Yadubans Narayan Das, Branch Manager, Bank of Baroda, Buxar, resident of Village-Kamrauli, P.S.-Simri, District-Darbhanga, at present Branch Manager, Bank of Baroda, District-Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. J.K. Pandey

Mr. Anil Kumar Roy

For the State : Mrs. Nirmala Kumari (App)

For the Bank : Mr. Vivek Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

4 21-07-2016

Heard learned counsel for the petitioners,
learned Additional Public Prosecutor for the State and

learned counsel representing the Bank.

This application, for grant of anticipatory bail, arises out of Buxar (T) P.S. Case No.44 of 2016, disclosing offences under Sections 467, 468, 471, 472, 419 and 420/34 of the Indian Penal Code.

The petitioners are alleged to have obtained loan amount and got the same deposited in their own account, which was released by the Bank for purchase of a truck in favour of the dealer of the truck. The petitioners are said to have misrepresented and got the amount deposited in an account opened in the name of Mahabir Traders, which, in fact, was their own account.

It is not in dispute that as on today, liability on the petitioners is of Rs.20,00,000/- approximately.

Learned counsel for the petitioners, on instructions, submits that the petitioners are ready to pay the entire amount if some reasonable time is given to them. He has also submitted that the petitioners can pay to the Bank the said amount in monthly installments of Rs.1,00,000/-. The petitioners are said to have agreed that they will be paying to the Bank, as the first installment, an amount of Rs.1,00,000/- on 28.07.2016 and subsequent installments shall be paid by them in the last week of every subsequent months without any failure

till the entire liability is disbursed.

Considering the aforesaid stand taken on behalf of the petitioners, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Buxar**, in connection with **Buxar (T) P.S. Case No.44 of 2016**, 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, above named, shall present themselves before the police/Court, as the case 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.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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