

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37026 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -KASIMBAZAR District- MUNGER

Rajneesh Sinha @ Rajneesh Kumar Sinha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-01-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the complainant.

The petitioner being the manager of S.N. Enterprises is apprehending his arrest in connection with Kasim Bazar P.S. Case No.91 of 2015, registered for offences punishable under Sections 323, 324, 379, 420,467,468 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the entirely false and baseless allegation has been leveled against the petitioner, who is the manager of S.N. Enterprises and the vendor of Mahindra Tractor, being the authorized agent of the tractor. The manager being an authorized signatory can at best issue a quotation stating the price of the Tractor in question which was sought to be purchased by the complainant after obtaining finance from the concerned bank, namely, State Bank of India. Learned



counsel for the petitioner further submits that in pursuance of an application by the complainant, a quotation was issued and in response thereto, the loan amount was sanctioned in favour of the petitioner for purchase of the vehicle and the money was paid to the petitioner's enterprise, namely, S.N. Enterprises. Subsequently an allegation was made that the subsidy amount which was to be paid to the complainant has been paid to the petitioner, however, from a document which has been produced before me, vide Memo No. 32 dated 24.02.2015, that this subsidy amount has actually been released in favour of the complainant and was deposited in the loan account by the complainant himself and as such there was no act of swindle by the present petitioner. He further submits that another similarly situated person, namely, Sunil Kumar @ Sujit Kumar who was made accused in connection with same occurrences, has been extended the privilege of anticipatory bail in Criminal Miscellaneous No. 51683 of 2015 dated 16.11.2015.

Considering the aforementioned facts and circumstances, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the

satisfaction of Smt. Rachna Srivastava, Judicial Magistrate, 1st
Class, Munger in connection with Kasim Bazar P.S. Case No. 91
of 2015, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.



(Anjana Mishra, J)

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