IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12207 of 2017

Arising Out of Complant Case No. -146 (C) Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA

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1. Avinash Jha, son of Shyamsundra Singh, aged about 37 years, resident of Lohiya Nagar, P.O. Sahid Nagar, P.S. Muffasil, Distt. Begusarai.
2. Sudhir Jha, son of Arvind Jha, aged about 31 years, resident of village Akour, P.S. Benipati, Distt. Madhubani.
3. Ranjeet Jha, son of Surendra Jha, aged about 40 years, resident of village & Post Bariyarpur, P.S. Sakra, Distt. Muzaffarpur.
4. Mintu Kumar Sahu @ Mantu Jee, son of N.K. Sahu, aged about 33 years, resident of Flat No. 375 L/25, Twila Dungsi, P.S. Twila Dungsi, Jamshedpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Radhe Krishna Sharma, son of Shivyatan Pd. Singh, r/o Parshawa, P.S. NTPC Barh, Patna.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Archana Sinha @ Archana Shahi, Advocate
For the State : None.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioners.

Learned counsel for the State is not present.

The petitioners apprehend their arrest in Complaint Case No. 146(C) of 2016 instituted for the offence under Section 392 of the Indian Penal Code.

It has been submitted that all these petitioners are Bank employees. The complainant had taken loan from the bank and purchased a vehicle in the name of his wife. The case has been filed against wife of the complainant for non-payment of loan. The complainant has admitted in complaint petition that two loan agreements have been entered into between the Bank and wife of the complainant. The allegation has been levelled by the complainant that the Bank has refused to accept money when he went to make payment of his loan amount.

It has been submitted on behalf of the petitioners that there is allegation that on 29.2.2016 the Bank has not accepted the amount of loan which he went to deposit, but the fact is that, on that day the bank has accepted deposit of Rs.17,000/-. As such, the allegation of non-acceptance of cash towards deposit of the loan amount is baseless.

Be that as it may, from the entire statement of the complainant, it appears that the loan was sanctioned by the bank to the complainant’s wife and a legal notice for re-payment of loan amount was issued by the Bank against the wife of the complainant. There is vague and omnibus allegation made in the complaint petition against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Complaint Case No. 146(C) of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge III, Barh, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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