

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40317 of 2017

Arising Out of PS.Case No. -317 Year- 2016 Thana -AGAMKUAN District- PATNA

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1. Abhishek Suman agde about 30 Years, Son of Sri Vidyadhar Pandey, R/o flat No. 6, Nilambar Apartment , Ram Shuchit Mishra Path, East Boring Canal Road, P.S.- Budha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017 Heard learned counsel for the petitioner and leaned
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Agmkuan P.S.Case No. 317 of 2016 registered for offences punishable under Sections 419, 420, 408, 467, 468, 471 and 120 (B) of the Indian Penal Code.

The prosecution case is that a criminal conspiracy was hatched by the petitioner with the other accused persons for the purpose of cheating and defalcation of huge amount to the tune of lacs of rupees, through process of sanction of loan for purchase of vehicle by Magna Finance Corporation Limited.

It has been submitted on behalf of the petitioner



that he is an employee of Magma Finance Corporation Limited working as Direct Sales Agent and the prospective customers / buyers approaches the DSA with their documents for finance from Magma Finance Corporation Limited . There is no role of petitioner in sanction of the amount or disbursement of the loan for booking of the car. It has further been submitted that the petitioner has no concern with the entire process. The name of the petitioner allegedly came in the supervision report without any substantive evidence.

Considering the facts and the circumstances of the case and the nature of allegation against the petitioner is not specific, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Agamkuan P.S.Case No. 317 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, subject to the conditions laid down under Section 438 (2) Cr.P.C with other conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3)



if petitioner tamper with the evidence or the witnesses of the case,
in that case, prosecution will be at liberty to move for cancellation
of bail of the petitioner.

(Sanjay Priya, J)

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