

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16556 of 2017

Arising Out of PS.Case No. -456 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Shailendra Giri, son of Suresh Giri, resident of Village Gandhinagar
(Behind Urbasinagar), P.S. - Dihri, District - Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 27-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Bhabhua
(Sonhan) P.S. Case No. 456 of 2016, registered under Sections
420 I.P.C. and Section 3(1)(x) of SC/ST Act.

The allegation of complainant Binod Ram is that his
father purchased a pickup van from M/s. Ramanand Automobile
Pvt. Limited on taking loan from Tata Motors Finance Limited.
The loan amount was to be paid in 47 installments of Rs. 15400/.
The installment was regularly paid to the petitioner Shailendra
Giri, who is agent of Tata Motors Finance Ltd, from 11.04.2013
to 11.03.2014 and petitioner used to issue receipt regarding
payment of amount of installment. The petitioner approached the
father of the informant and said that his vehicle is not running
and asked to handover the vehicle on the assurance that he will
paid the installment and he will also paid Rs. 25,000/- permonth



to him. Thereafter, father of the informant handover the pickup van to the petitioner. In the month of January, 2015 all of a sudden the father of the informant become paralyzed. Thereafter, petitioner refused to pay installment and also refused to return the vehicle to the informant.

Learned counsel for the petitioner submits that, in fact, the petitioner is agent of Tata Motors Finance Ltd., who used to receive the installment from the father of the petitioner. Later on, informant started giving pressure to return the vehicle in the Company as he was unable to pay the installment, but petitioner shows his inability to help in return of the vehicle due to that reason, the informant lodged the present case. Further submission is that petitioner has no criminal antecedent is in custody since 14.02.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Bhabua in connection with Bhabhua (Sonhan) P.S. Case No. 456 of 2016.

(Rajendra Kumar Mishra, J)

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