

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23021 of 2017

Arising Out of PS.Case No. -103 Year- 2015 Thana -PIRBAHOR District- PATNA

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1. Jyoti Prakash, S/o Chandar Prakash Gupta, R/o Near Mahavir Shiv Mandir, Shahganj, Mahendru, P.S.- Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Branch Manager State Bank of India Chauhatta Branch, P.S.- Kadamkuan, District- Patna-20.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar
For the Bank of India : Mr. Kamendra Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned Addl. Public Prosecutor for the State.

The petitioner apprehends his arrest in Pirbahore P.S. Case No. 103 of 2015 instituted for the offence under Sections- 406, 420, 467, 468/34 of the Indian Penal Code.

There is allegation in the written report that the petitioner by producing the forged documents, got car loan sanctioned.

Counsel for the petitioner has submitted that he has made payment of installments of loan amount and has already paid 50% of the total loan amount. He has further submitted that the petitioner is ready to settle the account with the bank by the end of 2018.



Counsel for the bank has submitted that loan was sanctioned in the year, 2013 and the petitioner was required to make payment of the loan amount in 60 equal installments.

Counsel for the petitioner has submitted that one of the accused has been granted anticipatory bail by a coordinate bench of this court vide order dated 18-04-2017 passed in Cr. Misc. No. 16636 of 2017.

Counsel for the petitioner has submitted that he will deposit Rs. 50,000/- with the bank within six weeks from today and thereafter, he will settle the account with bank and make regular payment of installments as fixed by the bank and shall make full and final payment by October, 2018.

In such circumstances, the petitioner is directed to deposit Rs. 50,000/- as one lump sum amount within six weeks from today and in that event, the court below will grant him anticipatory bail provisionally till payment of final installment by October, 2018 in connection with Pirbahore P.S. Case No. 103 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Patna subject to conditions as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be close relative of the petitioners (2) petitioners 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 tampers 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.

It is made clear that on payment of full and final installment by October, 2018, the provisional bail granted to the petitioner shall be confirmed by the court below itself. In the event of either default in payment of any installment or non-payment of full and final installment by October, 2018, the court below will cancel the provisional anticipatory bail of the petitioner.

(Sanjay Priya, J)

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