

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8005 of 2017

Arising Out of PS.Case No. -507 Year- 2016 Thana -BIHTA District- PATNA

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Praful Kumar @ Palpun Majumdar, Son of Late A.K Majumdar, Aged about 40 Years, Senior Officer-Collection , Tata Capital Financial Ld. First Floor, Opposite Jyoti Punj Hospital Boring Road, Patna, Police Station-S.K. Puri, District- Patna.

.... Petitioner

Versus

1. State of Bihar
2. Binod Kumar Singh Age 40 Years, S/o Viswanath Rai, House No.- 60 , Village- Madhopur, Post- Madhopur, Near Block, Police Station-Maner, Dist-Patna, Pin- 801108.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dayanand Singh, Advocate
For the Opposite Party/s : Mr. R.N. Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 24-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bihta P.S. Case no. 507 of 2016, registered under Sections 386, 420, 406 and 120-B/34 of the Indian Penal Code.

The allegation of informant Binod Kumar Singh is that he purchased a Foklen Machine by taking loan of Rs. 36,05,000/- from the Tata Capital Financial Services Ltd., Patna and he has to pay Rs. 1,32,643/- in 33 installments. At that time, informant deposited Rs. 15,45,000/- along with 33 cheques in the office of Tata Capital Financial Services Ltd. for purchase of Foklen Machine. Thereafter, on 14.07.2016 all the accused persons, including the petitioner, being the



officials of Tata Capital Financial Services Ltd. forcibly took the Foklen Machine of the informant.

Learned counsel for the petitioner submits that, in fact, due to non-payment of installments of loan of Foklen Machine, which was hypothecated, was carried by the officials of the company on 25.06.2016 after giving information to the Officer-in-Charge of concerned Police Station on the same day, but with ulterior motive the present case has been lodged. Further submission is that similarly situated co-accused Ratnesh Kumar, who is also official of Tata Capital Financial Services Ltd., has already been allowed anticipatory bail on 27.03.2017 passed in Criminal Miscellaneous No. 8010 of 2017.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 507 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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