

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30855 of 2017**

Arising Out of PS.Case No. -122 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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1. Deepak Malhotra
  2. Ravi Malhota  
Both sons of Late Pratap Malhotra, R/o Kaveri Apartment, Bandar Bagicha, P.S-Kotwali, District-Patna and Office at 507-Ashiyana Tower, Exhibition Road, Patna.
  3. Vijay @ Vijay Kumar S/o Late Ashrafi Rai, R/o Amarnath Road, Adalatganj, P.S. Kotwali, District-Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Girish Pandey

For the Opposite Party/s : Mr. Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      06-07-2017                      Heard both sides.

The petitioners are apprehending their arrest in connection with Gandhi Maidan P.S. Case No. 122 of 2017 registered for the offence under Sections 406, 420, 384/34 of the I.P.C.

The informant allegedly purchased a truck bearing registration no. BR1GA-1769 from one Ram Nath Sao who was owner of the truck. The said Ram Nath Sao had purchased the truck and it was financed by M/s Satya Narayan Kamal Kumar a financing company situated in Kolkata. The petitioners are managing staff of the said company at the Branch Office at Patna. The informant met the petitioners for issuing No Objection Certificate with respect to the said truck. These petitioners had no



authority to issue NOC as the installment with respect to said truck was not deposited by the informant with their company. The NOC was to be supplied by Kolkata Head Office on deposit of entire installment amount. The informant and his son visited at the office of these petitioners and had threatened for dire consequences for which the petitioner no. 1 filed an informatory petition before C.J.M. on 02.03.2017. The main grievance of the informant is that these petitioners did not issue NOC as it appears from the written report which according to these petitioners was not possible for them to get NOC issued in favour of the informant unless he clears the loan.

Considering the omnibus allegation as well as the facts and circumstances of the case, the prayer of bail is allowed. The petitioners above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Patna in connection with Gandhi Maidan P.S. Case No. 122 of 2017 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure.

**(Sanjay Kumar, J)**

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