IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7083 of 2018

Arising Out of PS.Case No. -31 Year- 2017 Thana -KALER District- JEHANABAD

==

Karan Kumar Kaushal, Son of Vinay Kumar Lal, Resident of Village-Arai, Police Station- Daudnagar, in the district of Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State Bank of India through its Zonal Manager, Gandhi Maidan, Patna.

.... Opposite Party/s

==

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate.
For the State Bank of India : Mr. Sanjiv Kumar, Advocate.
For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

==

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5 10-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kaler P.S. Case No. 31 of 2017** instituted for the offence under Sections 406, 420, 467, 468 and 120(B) of the Indian Penal Code.

There is allegation in the written report that Bank has sanctioned Rs.49,00,000/- in the name of petitioner for purchase of Hyundai Hydraulic Excavator and Hyundai Rock Breaker. The aforesaid amount was paid by the Bank to M/s. Devendra Equipment, Patna, through Bank Draft No. 850734 dated 12.1.2015. The informant gave certificate in the Bank with regard to purchase of both equipments. It is further alleged that the loan was not returned by the petitioner to the Bank. Thereafter, the account was declared N.P.A. by the Bank. The Bank made enquiry in the matter and made demand of

R.C. Book of the purchased article and some related documents which were not provided by the petitioner. Thereafter, the Bank informed M/s. Devendra Equipment, Patna, on which, the Agency replied that for aforesaid Machines, no R.C. Book is issued and the papers deposited by the petitioner in the Bank is forged since the same has not been issued by the Agency. It was learnt that petitioner has purchased Hydraulic Excavators Machine from Ram Equipment Finance Company after taking loan and petitioner got Rs.39,00,000/- transferred in his account from the Agency, namely M/s. Devendra Equipment, Patna. After getting those amount in his own account from the Agency, this petitioner has transferred the amount in other accounts.

The counsel for Bank has submitted that all these misdeeds have been done by the petitioner in connivance with Agency M/s. Devendra Equipment, Patna.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

(Sanjay Priya, J)

S.Ali/-

U		T	