

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46930 of 2018

Arising Out of PS.Case No. -399 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Kumar Durgesh S/o Manoj Bishwas, R/o Mohalla- Janta, House No. 33-34 Bihar Sate Housing Board Colony, Barari, P.O. & P.S.- Barari, District- Bhagalpur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Sultanganj P.S. Case No. 399/2017, instituted for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner was appointed as Sales Executive in Sri Ram Equipment Finance Company Limited on 02.04.2011. Work of this petitioner as Sales Executive was to report his higher officials about financial capacity and the commercial behaviour of the persons seeking loan. It is further submitted that petitioner accepts of having received one installment of Rs. 59,400/- on 25.05.2016 as Incharge Cashier of the Company because the Cashier was absent



on the said date. He had issued a receipt of the aforesaid amount and deposited the same in the account of Company. The other two receipts which has been mentioned in the written report were not issued by petitioner. The petitioner has not received any other installment from the informant. It has been further submitted that informant has become defaulter in making payment of installment of loan and after receiving the notice he has made all these defence because one of the installment has been accepted by the petitioner.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Sultanganj P.S. Case No. 399/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner 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 tamper 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.

(Sanjay Priya, J.)

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