

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62975 of 2017

Arising Out of PS.Case No. -877 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Bimal Kishore Gupta, Son of Late Ram Deo Gupta, presently posted as Senior Branch Manager, Syndicate Bank, Munger Branch, Munger, Residing at New Shivpuri Colony, Police Station- Tilka Manjhi, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Sri Praveen Kumar Singh, Proprietor of M/s Subham Consumer Products, Son of Late Bindeshwari Prasad Singh, Zila School Road, Kharmanchak, Police Station- Kotwali, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar.

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with complaint case no. 877 of 2015 registered for the offences punishable under Sections 405, 406, 420 of Indian Penal Code.

The allegation in the complaint petition is that though settlement regarding the loan amount had taken place before the Lok Adalat, the petitioner herein who is the Branch Manager of the Bank had initiated SARFAESI proceedings against the complainant resulting in harassment to him.



The learned counsel for the petitioner submits that the petitioner was only protecting the interest of the bank and the SARFAESI proceedings had been initiated prior to the Lok Adalat proceedings. It is further submitted that the allegations leveled in the complaint petition are false and frivolous and the complaint had been made with the intention of damaging the image of the Bank.

Having regard to the facts and circumstances of the case, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Bhagalpur in connection with complaint case no. 877 of 2015 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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