

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18841 of 2018

Arising Out of PS. Case No.-917 Year-2017 Thana- KHAZANIHAT District- Purnia

Sikandar Sah Prop. of M/S Sonu General Store S/o Subodh Sah, R/o Village-
Choudhary Market Bhatta Bazaar, P.S.- K. Hat (Sahayak), District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Subodh Kumar Mishra, S/o Not Known, R/o Village- Bela Vishwavidalaya,
P.S. + District - Darbhanga at present Branch Manager Corporation Bank ,
Purnea Baranch Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with K. Hat (Sahayak) P.S. Case No. 917 of
2017 registered for offences under sections 409, 420, 34 of the
Indian Penal Code.

As per allegation made in the First Information
Report, the petitioner had taken money amounting Rs. 10 lacs
for running his business and the petitioner was paying the same
regularly. The case has been lodged that he had taken money for
opening the shop but, he has not done the same and an
allegation has been made of diversion of fund and, for that, a



criminal case has been lodged against him.

Learned counsel for the petitioner submits that he is paying the installment regularly and there is no default in payment. His account has never declared N.P.A. and there is also no case under the SARFAESI Act but, even then, the present case has been lodged against him.

As the petitioner has been paying the installment and his account has not been declared N.P.A., let the petitioner, namely, Sikandar Sah, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 917 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J)

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