

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18060 of 2019

Arising Out of PS. Case No.-440 Year-2018 Thana- MANER District- Patna

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Ram Kishore Singh Son of Late Rambilash Singh Resident of Village -
Mahadeo Asthan, Maner, P.S.- Maner, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

01-05-2019

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 406, 420 of the Indian Penal Code.

The bank had sanctioned loan in favour of the petitioner on gold being deposited by the petitioner with the bank. Thereafter, the purity of the gold was examined and the same was found to be 25 to 30 per cent only.

Submission is that in fact after properly examining the purity of the gold, loans are sanctioned and just to pressurize, false case has been lodged. Petitioner in in custody since 15.12.2018.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of



Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Maner P.S. Case No. 440 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below having immovable property.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

The higher authority of the bank shall be at liberty to take appropriate action against the bank officials, who were responsible to sanction loan in favour of the petitioner without verifying the percentage of purity of the gold which was mortgaged by the petitioner because their involvement cannot be completely ruled out.

Let a copy of this order be communicated to the Zonal Manager, SBI, Patna Zone with reference to Maner P.S. Case No. 440 of 2018.

(Birendra Kumar, J)

Banti/Rajan

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