

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76031 of 2018

Arising Out of PS. Case No.-53 Year-2017 Thana- SARE District- Nalanda

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Amit Chandra S/o Pankaj Narayan Ambastha, aged about 37 years, R/o 3M/97, Mahatma Gandhi Nagar, Housing Colony, P.O. P.S.- Bahadurpur Patna- 800026, presently posted as Area Sales Manager in TATA Motors Finance Limited, having its head office at Buildig- A, 2nd Floor, Lodha Think Techno Campus, Off Pokhran Road- 2 Thane West- 400607, and branch office at 601, 602, 6th Floor, Kashi Place, near Dak Bunglow Chowk, Patna 800001
... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Abhishek Kumar, S/o Rajkumar Singh, R/o Dayam Chak, P.S. Sare, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dayanand Singh
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420,467,468,504,506/34 of the Indian Penal Code.

Initially, the prosecution case got initiated with filing of Complaint Case No.255C of 2017, which came to be registered as police case, being Sare P.S Case No.53 of 2017, after its being transferred under Section 156(3) of the Code of Criminal Procedure to the police for investigation.

The prosecution case as per the informant is that in the year 2016, the informant purchased a truck. The truck was financed



by the TATA Motor Finance Limited. The petitioner is the Area Sales Manager in TATA Motors Finance Limited. After some time, when the informant went to getting the servicing of the vehicle in question done, then it was found that the truck was earlier sold to some other person and a second hand truck was sold to the informant.

It is submitted by learned counsel for the petitioner that petitioner has no role in the selling of the truck in question. In fact, the present case has been lodged in order to misappropriate the loan amount against the truck in question. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner has been cheated the informant.

Considering the accusation being arising out of contractual relationship between the informant and the seller of the truck, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of the learned ACJM, VII,
Nalanda, in connection with Sare P.S. Case No.53/2017, subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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