

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27332 of 2019

Arising Out of PS. Case No.-112 Year-2018 Thana- KOTWALI District- Munger

=====

Anil Kumar Yadav, S/o Late Ramchandra Prasad Yadav, R/o Village-
Herudiyara, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Sinha

For the Opposite Party/s : Mr.Rajendra Prasad Nat

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 29-07-2019 This is an application for grant of anticipatory bail in

connection with Kotwali P.S. Case No. 112 of 2018, disclosing

offences under Sections 467, 468, 471, 420, 34 of IPC.

Prosecution case as per F.I.R. is that the co-accused

has taken loan of Rs.7, 00,000/- from the Syndicate Bank, in

which the petitioner was a guarantor, however, it becomes NPA

and at present the amount of Rs.13,4,657/- is due.

Submission of the learned counsel for the petitioner is

that he is only a guarantor, moreover a talk between the parties

is going on and as per his knowledge the borrower has returned

Rs.7,00,000/- to the bank, in which, the petitioner undertakes

that he will get the same deposited by the borrower or he will

himself pay the same to the bank.

Heard learned A.P.P. as well as learned counsel for the



Bank also, they have opposed the prayer for anticipatory bail on the ground that the amount is increasing day by day and he has no instruction as to whether the main accused has deposited any amount against the loan.

Having heard both sides, considering the above submissions, so far as, petitioner is concerned, he is only a guarantor and allegation is of presenting the forged documents is not against the petitioner, rather the main allegation is of against the borrower, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Munger, in connection with Kotwali P.S. Case No. 112 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he will try to persuade the main borrower to clear the amount of the bank.

With the aforesaid, this application is allowed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

