

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30337 of 2019

Arising Out of PS. Case No.-410 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

Srikant Kumar, Son of Harishanker Rai Resident of Village - Nawa Nagar
Nizamat, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mukesh Kumar Saran Son of Sri Awadhesh Kumar Saran Branch Manager,
Central Bank of India, Sahebganj Branch, Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jyotsna Rani Mishra, Advocate
For the informant	:	Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sahebganj P.S. Case no. 410 of 2018, registered under
Sections 406, 420 and 379 of the Indian Penal Code.

The accusation is that on the application of the
petitioner, cash credit facility of Rs. 25,00,000/- and term loan
of Rs. 17,80,000/- was provided to the petitioner by Central
Bank of India, Sahebganj Branch, District-Muzaffarpur for
running of Jai Mata Di Motorcycle Service Centre on
07.06.2014, in spite of much pursuation, petitioner die not pay
the loan amount and against the term of agreement removed the



machines from the service centre for the purpose of selling of the same, which was hypothecated to the bank.

Learned counsel for the petitioner submits that, in fact, Jai Mata Di Motorcycle Service Centre was running in rented premises, but the same premises was vacated by the petitioner due to pressure of the landlord and the machines were also shifted on other place. Further submission is that informant has right to recover the loan amount under civil law as alleged in the F.I.R. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 A.C.J.M-1st-cum-Sub Judge-1, West Muzaffarpur in connection with Sahebganj P.S. Case No. 410 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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