

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44987 of 2019

Arising Out of PS. Case No.-1609 Year-2012 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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DEEPAK KUMAR RAI Son of Late Binda Rai Resident of village- Singaila
Sadha, Ward No. 9, P.S. Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhagya Narayan Paswan Son of Yogendra Paswan Resident of village-
Vaishali, P.S. and District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 1609 of 2012 instituted for the

offences punishable under Sections 406 and 420 of the Indian Penal

Code.

As per complaint petition petitioner sold a car to the
complainant for a price of Rs.4.25 lac which complainant has paid on
19.9.2011 with an assurance that petitioner shall hand over the owner
book and token to the complainant but later on complainant came to
know that loan for the case is still pending and the vehicle is
hypothecated in the name of HDFC Bank, Muzaffarpur, as such he
returned the car and asked the petitioner to repay the above amount
but the petitioner has not paid the above amount.

Submission of learned counsel for the petitioner is that the



petitioner has purchased the above vehicle on loan but assurance given by the complainant that he will pay the instalment and vehicle was actually run by the complainant without making payment of instalment and vehicle is still in the name of the petitioner.

It appears that in spite of service of notice none has appeared on behalf of opposite party No.2.

Heard learned APP also.

In view of above facts and circumstances and also considering the nature of allegation, let petitioner, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur, in connection with Complaint Case No. 1609 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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