

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58939 of 2019

Arising Out of PS. Case No.-330 Year-2019 Thana- HILSA District- Nalanda

SHIVSHANKAR DAYAL Son of Shailendra Chaudhary Resident of Village-
Kariyawan, P.S.- Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-09-2019 Heard both sides.

The petitioner apprehends his arrest in Hilsa P.S. case No. 330 of 2019 registered under Section 406, 420, 120B, 34 of the IPC.

The informant filed the complaint case on the basis of which the present FIR was registered. The informant disclosed that one tractor was handed over to him on payment of cash of Rs. 2, 80,000/- and Rs. 4, 37,000/- was financed but later on the tractor was seized due to non payment of installment. It transpired that the petitioner handed over wrong registration number as the same is standing in the name of another tractor owned by another person.

The learned counsel for the petitioner submits that petitioner is agent of the company. The tractor was financed from Tata Financial Services and if wrong registration No. is given to the informant the petitioner is not responsible for that.

On the other hand, the learned counsel for the informant submits that it was the petitioner who had handed



over wrong registration No. of the vehicle with all relevant papers to the informant but it appears that informant got new tractor on finance from Tata Financial Services. The tractor was not stolen one but the registration paper appears to be in issue which shows registration No. of different tractor owned by different person but for that the petitioner cannot be held responsible.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. case No. 330 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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