IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23193 of 2020

Arising Out of PS. Case No.-377 Year-2019 Thana- TARAIYA District- Saran

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VIKASH KUMAR SINGH S/o Nagendra Singh @ Nagendra Prasad Singh Resident of Village-Rampur Mahesh, P.O.-Parauna, P.S.-Taraiya, District-Saran at Chapra.

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mrs. Veena Rani Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 04-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 420, 506/34 of the Indian Penal Code.

The prosecution case, in short, is that although no loan was sanctioned in the name of the informant but an amount of Rs. 16,000/- got deducted from the account of the informant.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The informant has come for a loan from the Bank. The petitioner had tried to provide his services for getting a loan. There is no other substantive evidence to suggest his implication in the present case. It is further submitted that the petitioner is ready to deposit a sum of Rs. 2,00,000/- (two lakhs) in the court below which shall be subject to the final disposal of the case.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R./complaint case. They have no objection to the anticipatory bail being granted to the petitioner. It has further been pointed out by the informant that the petitioner has entered into an agreement with the Bank where the petitioner has admitted that the loan in question for an amount of Rs. Two lakhs was withdrawn by him which was sanctioned on the name of the informant and the said amount was transferred to one Kundan Kumar.

Considering the aforesaid facts and circumstances, **on deposit of a sum of Rs. 2,00,000/- (two lakhs) in the Court below which shall be subject to final disposal of the case**, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -1st, Saran at Chapra in connection with Taraiya P.S. Case No. 377/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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