

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65498 of 2019

Arising Out of PS. Case No.-396 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

ANJANI KUMAR SRIVASTAVA @ ANJANI SRIVASTAVA Son of Chandra Shekhar Shrivastava Working for gain at TATA Capital Financial Services Limited, 1st Floor, East Ram Krishna Nagar, Above ICICI Bank, Opp Shivam Convent School, P.S.- Ram Krishna Nagar, By Pass Road, Distt - Patna. - 800027, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharamraj Son of Late Narsingh Mahto Resident of Village - Fatehangpur (Sabalpur), P.S. - Nadi, Distt - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dayanand Singh
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2020 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Ram Krishna Nagar P.S.Case No.396 of 2019, registered for offences punishable under Sections 406, 420, 379 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner who is employee of the Finance Company along with six other persons has taken away the Tractor and Trolley of the informant, which has been financed by the company of the petitioner.

Submission of the learned counsel for the petitioner is that it is a case of disposition and the Hon'ble Supreme Court in several cases has held that where there is disposition, no criminal case is made out. Moreover as the informant has paid the installment as such his tractor was taken away and he is



ready to abide by any condition imposed upon him.

Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail on the ground that the Trolley was not advanced by the Finance Company but in spite of that the tractor and trolley has been taken. It is further submitted that he was paying installment.

Having heard both sides and considering the submissions as made above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM XIII, Patna in connection with Ramkrishna Nagar P.S. Case No.396 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with condition to co-operate in the investigation and appear before the police as and when required.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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