

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81914 of 2019

Arising Out of PS. Case No.-51 Year-2017 Thana- BARABAR TOURIST District- Jehanabad

MANOJ KUMAR, Son of Ramashish Sharma, Resident of Village and P.O.-
Tilakai Makhadumpur, P.S.- Barabar Prayatak (Bishunganj O.P.), District-
Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 307 and 34 of the Indian Penal Code.

Prosecution case in brief is that as culled out from the
written statement of the informant that around 5.00 pm in the
evening of 25.08.2017 he along with his office staff, named in
the FIR, had gone to house of one Brajesh Kumar of Khaskhori
village. According to the FIR informant's visit to the house of
Brajesh Kumar was in connection repossession of vehicle
bearing no. BR02U05098 on account of default in payment of
loan dues. It is further alleged that the petitioner along with



accused persons named in the FIR as well as 20-30 unidentified persons at once attacked his team with rods and lathi and assaulted them.

Learned counsel for the petitioner submits that the petitioner has purchased a vehicle by taking loan from Cholamandalam Investment and Finance Company Limited because of some financial constraint Rs.24,742/- had become due against the loan account of the petitioner. After settlement of petitioner's loan account the informant sought to compromise the case by filing petition dated 11.03.2019 before the learned J.M.-1st Class, Jehanabad. It is crystal clear that motive behind institution of the present FIR was recovery of dues loan amount by mounting additional pressure on the petitioner.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Jehanabad, in connection with Barabar Prayatak P.S. Case No. 51 of 2017, on the following conditions:



“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

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