

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23777 of 2021**

Arising Out of PS. Case No.-535 Year-2019 Thana- JAMUI District- Jamui

RAJIV KUMAR S/o Mohan Singh R/o village- Mangrar, P.S.- Laxmipur,
District- Jamui

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

9 11-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the offences punishable under Sections 420/34 and other allied sections of the Indian Penal Code.

As per the prosecution case, father of the petitioner took car loan from the bank in which petitioner was the guarantor and without paying the loan amount the vehicle in question was sold to other person.

Learned counsel for the petitioner denying the allegation, submits that there is no cheat of paper to show that father of the petitioner has sold his vehicle. More so, if loan has been paid by loanee, the informant may proceed against the petitioner/ guarantor under the provisions of the Debt Recovery Act. It is stated in paragraph 3 of the bail petition that the



petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that there is specific allegation against the petitioner that he was guarantor of the vehicle of which loan amount had not been paid and the vehicle had also been sold to some other person.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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