

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32151 of 2022

Arising Out of PS. Case No.-81 Year-2015 Thana- SASARAM NAGAR District- Rohtas

MANOJ KUMAR DWIVEDI @ MANOJ KUMAR DEVEDI S/o Ramnath
Devedi Resident of Mohalla- Gauraxani, Santoshi Maa Path, Sasaram, Police
Station- Sasaram (T), District- rohtas at Sasaram, Permanent resident of
Village- Tetari, P.S.- Sasaram, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 21-11-2022

Heard the parties.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 420, 467, 468, 471, 120(B) IPC.

Allegation against the petitioner is that he took loan
from the bank of informant by keeping the bonds of L.I.C. as
surety and on verification, all the bonds were found to be fake.
Despite of several reminders, petitioner failed to deposit the loan
amount within stipulated time.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case. No such occurrence, in the
manner as alleged, has ever taken place. It is further submitted that
the petitioner has purchased the said LIC bond through Eshatiyak,
the Agent of the Dehri LIC Branch, District -Rohtas. The



petitioner has approached the Madhya Bihar Gramin Bank for taking personal loan of security of LIC bond for his medical treatment. After getting the loan all of a sudden, the petitioner became patient of the kidney infection and lastly got admitted. Due to financial condition, he could not repay the EMI to the Bank within stipulated period. Subsequently, petitioner approached the Bank for providing time for payment of EMI but Bank did not provide the same and instead of that it took action against the petitioner. He further submits that the petitioner is ready to return Rs.3,78,670/- to the bank within a period of one year. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sasaram (Model) P.S. Case No.81 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Petitioner is directed to deposit 50% of the said amount at the time of filing of bail bonds and rest amount be returned



within a period of six months from today.

Learned court below is directed to accept the bail bond of the petitioner after showing the receipt of deposit of 50% of the undertaken amount to the Bank concerned.

However, if petitioner fails to deposit rest of the amount within the stipulated time, his bail bond is liable to be canceled.

(Anjani Kumar Sharan, J)

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