

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40855 of 2021

Arising Out of PS. Case No.-224 Year-2019 Thana- RAMPUR District- Gaya

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1. Jitendra Kumar Pandey S/o Late Prasidh Pandey R/o village- Dhaniwar, P.O. and P.S.- Amba, District- Aurangabad
 2. Satyendra Pandey S/o Late Prasidh Pandey R/o village- Dhaniwar, P.O. and P.S.- Amba, District- Aurangabad
 3. Geeta Pandey W/o Jitendra Pandey R/o village- Dhaniwar, P.O. and P.S.- Amba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarendra Kumar Singh, Advocate
For the Informant	:	Mr. Daya Nand Singh, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

14 17-10-2023 Heard Mr. Amarendra Kumar Singh, learned counsel for the petitioners, Mr. Daya Nand Singh, learned counsel appearing on behalf of the Informant (Tata Motors Finance Limited) and Mr. Anil Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest connection with Rampur P.S. Case No. 224 of 2019, F.I.R. dated 02.07.2019 registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Allegation against the petitioners is that they had taken loans for 26 vehicles from the company of informant on the basis of agreement entered upon both the parties in which



they failed to pay the instalments for the last six months and in this way, the petitioners had committed fraud and cheated the Company.

4. Learned counsel for the petitioners outrightly submits that the petitioners have already paid the entire settlement amount of Rs. 87,00,000/- to the informant which was dues to the petitioners.

5. Learned counsel for the Informant accept the submission of learned counsel for the petitioners and fairly submits that he has received the entire settlement amount of Rs. 87,00,000/- and now the matter has been settled between the parties.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Rampur P.S. Case No. 224 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-



(1) Petitioners shall co-operate 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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