

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56409 of 2023

Arising Out of PS. Case No.-1800 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

MANOJ SAHNI @ MANOJ KUMAR SAHNI S/O VINOD SAHANI R/O
VILLAGE- BELA TOLA, WARD NO. 07, PS. SUGAULI, DIST. EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-08-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail
in connection with Complaint case no. 1800 of 2021, instituted
for the offences punishable under Section 406 of the Indian
Penal Code.
3. The case of the complainant, in brief, is that the
petitioner had come to his house and informed him about the
process of grant of KCC Loan, whereupon the complainant had
handed over his ration card, adhar card and photographs to the
petitioner, whereafter, the petitioner had assured that he would
get the loan sanctioned within two months. Subsequently, the
complainant got a notice from Central Bank of India with regard



to the outstanding dues to the tune of Rs. 1,02,841/- against his name, hence it is alleged that the petitioner has committed fraud with the complainant and taken loan on his behalf fraudulently.

4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that a superficial sort of allegation has been levelled against the petitioner and no evidence has been brought on record to show that the petitioner is having any complicity in the matter.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that *prima facie* no evidence has been brought on record to point out towards the complicity of the petitioner in the alleged crime apart from the fact that he is having a clean antecedent and is aged about 50 years, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioner, in the



event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, East Champaran at Motihari in connection with Complaint case no. 1800 of 2021, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

