

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65686 of 2022

Arising Out of PS. Case No.-399 Year-2022 Thana- KOILWAR District- Bhojpur

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1. PINTU KUMAR @ PINTU ROY Son of Late Babu Lal Yadav @ Lal Babu Rai @ LATE BABULAL RAI R/V- Sakaddi, P.S- Koelwar, Dist- Bhojpur
 2. Jitendra Kumar @ Jitendra Yadav Son of Late Babu Lal Yadav @ Lal Babu Rai R/V- Sakaddi, P.S- Koelwar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioners and learned APP
for the State.

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.2, who has been apprehended by the police, during pendency of this application.

Permission is granted.

This application as against petitioner no.2 is dismissed as withdrawn.

Now, it is being heard for consideration of bail on behalf of petitioner no.1 only.

The petitioner apprehends his arrest in a case registered



for the offence punishable u/s 341, 323, 384, 386, 504, 506, 34 of the IPC.

As per prosecution case, when the informant reached the Western end of the New Koelwar Pul, four persons stopped his vehicle and told that informant's vehicle's finance money was due. They snatched the key of informant's vehicle and demanded extortion money. It is further alleged that they took the informant to brick kiln, where he was assaulted by the four accused persons including the petitioner.

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 due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that petitioner was the Director of PJM Repo Pvt. Ltd., a private limited company. A "Parking Yard Agreement" was entered into by petitioners' company with M/s Cholamandalam Investment and Finance Company Limited on 12.07.2021 for providing parking space to the vehicle of Cholamandalam Company. The petitioners' company also entered into an "Agreement for Parking/storing of repossessed vehicles/Assets" for providing



parking yard for the vehicles of the Bank. After lapse of the said agreement a fresh agreement was entered into on 25.03.2022 with IndusInd Bank Ltd. for providing parking services. Petitioner was also appointed as recovery agents for the banks/financial institution. It is submitted that informant had taken loan from M/s Cholamandalam Investment and Finance Company Limited but he did not repaid the said loan, therefore, his vehicle was stopped and in this regard petitioner has filed many representation before the police and other officials but no action was taken against the informant and others. He has filed a complaint case against other accused persons namely Pradumann Yadav and Suraj Kumar, who are named in the F.I.R. but no action was taken by the police. Petitioner has been surprisingly alleged to have committed offence with co-accused Pradumann and Suraj, against whom the petitioners have filed *sanha* (Annexure-9), F.I.R. bearing Koelwar P.S. Case no.201/2022 , written complaint to S.H.O. (Annexure-12) and to the S.P. (Annexure-13) Petitioner no.1 has two criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering that the vehicle of informant was stopped due to



loan and thereafter this case was filed, let the above named petitioner no.1, 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 Koelwar P.S. Case No.399 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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