

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80836 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- TETERHAT District- Lakhisarai

Krishna @ Krishna Kumar @ Krishna Singh Son Of Umesh Singh @ Gagri
Singh R/O Village- Sharma, P.S.- Tetarhat, Dist.- Lakhisarai, Pin Code-
811311

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithlesh Prasad Singh

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 406, 420, 418, 379, 120(B) of
the Indian Penal Code.

As per allegation in the FIR, petitioner along with
other co-accused persons have taken loan of Rs. 37,18,848
for purchasing a Truck. All the accused persons had
executed loan Hypothication Agreement in favour of Tata
Motors Finance Limited and as per the said agreement the
ownership and hegemony was of the company till the



payment of entire finance amount. It is further alleged that after purchasing the Truck, bearing Reg. No. BR-53G-9008, and paying some installment, they stopped the payment. It is further alleged that when the company took step under Arbitration and settlement, accused persons have destroyed the financed vehicle after cutting and destroyed chassis has been kept standing at his residence. It is alleged that the said vehicle was operated by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that there is no contract or agreement made between the petitioner and concern company of the informant nor the petitioner was any way of party or witness of any such agreement of the company. There is also mismatch in the outstanding loan amount as per the written application of the informant and in the notice of National Lok Adalat. Moreover, the petitioner is languishing in judicial custody since 27.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Tetarhat P.S. Case No. 11 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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