

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4051 of 2024

Arising Out of PS. Case No.-248 Year-2023 Thana- ITARHI District- Buxar

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Anil Kumar Yadav @ Anil Kumar Singh son of Triloki Nath Singh Village-
Tikarshahi Ps- Sikraul Dist- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 406, 420, 467, 468, 471 of the IPC.

3. The learned counsel for the petitioner submits
petitioner is persons with clean antecedent and from perusal of
the allegation as alleged in the FIR, it would manifest that a
civil dispute has been given a criminal colour. It is also
submitted that the informant alleges that he had purchased truck
as detailed in the FIR financed by Sri Ram Transport Finance
Company Limited, in which the petitioner was a guarantor but
the informant on account of his poor economic condition was
not able to repay the loan to the finance company of the truck
for which he entered into an agreement for sale with the



petitioner of the truck as the petitioner was ready to redeem the entire loan amount taken by the informant from the said company. It is further alleged that even in terms of the agreement for sale the truck was handed over to the petitioner on 01.03.2022, but later the petitioner refused to repay the loan.

4. The learned counsel next submits that petitioner was merely a guarantor of the loan which the petitioner had taken from the finance company. It is next submitted that since the informant was not paying the EMI to the finance company as such in order create a story the present false case came to be instituted when there is no agreement for sale in between the petitioner and the informant with regard to the truck in question. The learned counsel for the petitioner further draws the attention of the Court to page-20 of the anticipatory bail application to submit that the alleged agreement for sale is a forged document as it does not even bare date.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Itarhi P.S. Case No.248 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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