

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6507 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. Prince Kumar @ Prince Singh S/O- Ram Pratap Singh R/O- Village- Parmalpur, P.S.- Bhagwanpur, Dist.- Kaimur At Bhabua.
 2. Suraj Singh @ Suraj Kumar S/O- Ram Pratap Singh R/O- Village- Parmalpur, P.S.- Bhagwanpur, Dist.- Kaimur At Bhabua.
 3. Namrata Kumar D/O- Shiv Shankar Prasad R/O- Village- Ward No.- 18, P.S.- Bhabua, Dist.- Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Bhagwanpur P.S. Case No. 336 of 2023, registered for the alleged offence under Sections 341, 323, 354B, 406, 420, 504 and 506 of the Indian Penal Code.

03. As per prosecution case, the petitioners have been running an Auto Agency and giving assurance to the informant that they would get her sanctioned the loan amount of Rs. 60,000/-, got her sanctioned the loan amount Rs. 96,000/- which was in excess of requirement of the informant and retained the extra money and refused to issue no objection with regard to



loan amount

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners have no role in getting the loan sanctioned or for issuance of no dues certificate, which is done by the finance company/bank. At the time of purchasing the vehicle, the informant's husband came to the Agency of the petitioner no.1 and requested him to make the payment of initial installments as they were living far away from the place where the Agency was situated. Accordingly, the petitioner no. 1 deposited three monthly installments and the original receipts are also available with the him. Learned counsel further submits that whatever the excess amount came in the account of the petitioner no.1, the same was returned to the husband of the informant and his brother-in-law. The petitioner no. 1 is a businessman and runs an Agency of Bajaj motorcycle and also runs brick kiln. It is not believable that he would misbehave with the customers and CCTV cameras are installed everywhere in his office. Learned counsel further submits that if any amount remains to be paid on account of sanction of excessive amount of loan, the petitioners are ready to return the same. Learned counsel further submits that the present case got instituted by a



person who is on inimical term with the petitioners. The petitioner no. 1 has been implicated in one more case, i.e., Bhagwanpur P.S. Case No. 310 of 2023 whereas petitioner nos. 2 and 3 are having no criminal history.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the commercial nature of transactions and further considering the possibility of false implication, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Bhabhua, District-Kaimur at Bhabhua in connection with Bhagwanpur P.S. Case No. 336 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each



and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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