

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16874 of 2024

Arising Out of PS. Case No.-340 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

1. Sailesh Kumar S/O Late Anil Kumar Sinha Vilage- Devnagar Janta Market, Chhota Govindpur, Ps. Govindpur, Dist. Singhbhum East, Jharkhand.
2. Sandeep Kumar S/O Late Anil Kumar Sinha Vilage- Devnagar Janta Market, Chhota Govindpur, Ps. Govindpur, Dist. Singhbhum East, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bank Of India Through Branch Manager, Laheriasarai, Darbhanga. Bihar, Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Verma, Sr. Advocate Mr. Subodh Kumar Jha, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the BOI	:	Mr. Sanjay Singh Thakur, Advovate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-03-2024 Heard learned Senior Counsel for the petitioner, learned A.P.P. for the State and learned counsel for the Bank of India.

2. The petitioners apprehend their arrest in Laheriasarai P.S. Case No. 340 of 2021 registered for the offences punishable under Sections 419, 420, 406, 201/34, 120(B) of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate-Darbhanga.

3. This is the second attempt of the petitioners for grant of anticipatory bail. Earlier prayer of the petitioners for



grant of anticipatory bail was rejected by this Court vide order dated 01.12.2023 passed in Cr. Misc. No. 3155 of 2022.

4. As per the prosecution case, the allegation against the petitioners is that they secured a term loan from the informant's bank on the basis of securities/collateral in the shape of immovable properties, which they had already fraudulently transferred to different persons even prior to the sanctioning of the loan amount. It is further alleged that the petitioners handed over two cheques of Rs. 14 lakhs to the informant bank towards adjustment against the loan account, which were dishonoured on presentation in the bank by the informant's staff.

5. Learned Senior Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners are ready to pay Rs. 48,00,000/- (Rupees Forty Eight Lakh) to the bank in installments. The petitioner no. 1 has two criminal antecedents and petitioner no. 2 has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes the prayer for



anticipatory bail.

7. Considering the facts and circumstances of case and the submission made by learned Senior Counsel for the petitioners, petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioners are ready to pay Rs. 48 lakh to the Bank in installments.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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