

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25329 of 2022

Arising Out of PS. Case No.-5 Year-2019 Thana- C.B.I CASE - TR District- Patna

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Sri Lakshman Prasad, Son Of Sri Rameshwar Singh, resident Of Village - Bhakharua More, Daud Nagar, P.S.- Daud Nagar, District – Aurangabad, one of the Director Of M/s Rameshwari Agro Services Private Limited.

... .. Petitioner/s

Versus

The C.B.I through the Superintendent of Police, (I/C) CBI, EOB, Ranchi Jharkhand

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajeev Shekhar
For the Opposite Party/s	:	Mr.Bipin Kumar Sinha
		Mr.Nishi Nath Ojha
		Mr.Shiv Pratap

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 15 25-04-2024 1. Heard learned counsel for the petitioner, learned counsel appearing on behalf of the C.B.I. and learned counsel appearing on behalf of the Union Bank of India.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 120B read with Sections 406, 420, 467, 468 and 471 of the Indian Penal Code.
3. The learned counsel appearing on behalf of the Union Bank of India files a counter-affidavit and at the outset, submits that he is not opposing the anticipatory bail application of the petitioner.



4.The learned counsel for the petitioner submits that in sum and substance, the allegation against the petitioner is that he along with Malti Singh in furtherance of a criminal conspiracy, dishonestly and fraudulently obtained a term loan of Rs.six crore and open cash credit of Rs.one crore as working capital from the Bank by mortgaging a land as primary security, a portion of which was already sold.

5.The learned counsel for the petitioner submits that based on the F.I.R., the C.B.I. started investigating the case and during the course of investigation, the petitioner cooperated. It is further submitted that the C.B.I. during the course of investigation never felt the need of arresting the petitioner and charge-sheet has been submitted, as such, no useful purpose would be served by sending the petitioner to jail when the bank is not opposing the anticipatory bail application of the petitioner.

6.The learned counsel appearing on behalf of the Bank submits that the dispute stands settled and the Bank has received an amount Rs.75 Lacs, out of 5.50 Crores and the petitioner is also paying the due amount in instalments.



7. At this stage, the learned counsel for the petitioner submits that the entire dues would be clear by August, 2024.

8. The learned counsel appearing on behalf of the C.B.I. opposes the anticipatory bail application.

9. 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 Exclusive Magistrate, C.B.I., Patna in connection with Special Case No.13 of 2019 arising out of C.B.I. Case No.RC5(E) of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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