

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38000 of 2024

Arising Out of PS. Case No.-714 Year-2017 Thana- BEGUSARAI TOWN District- Begusarai

PANKAJ KUMAR SINGH @ PANKAN MONI SINGH @ PANKAJ MANI
SINGH @ PANKAJ MONEY SINGH SON OF JAI KISHORE SINGH @
JAI KISHOR SINGH @ JAY KISHOR SINGH RESIDENT OF VILLAGE -
ISHUPUR, NEAR AAMI GANGA ROAD, PANCHAYAT AND POST -
MANUPUR, P.S. - DIGHWARA, DISTRICT - SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 06-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Town Police Station Case No. 714 of 2017, dated 23.12.2017, disclosing offences punishable under Sections 420/ 467/468/471/120-B/409 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that co-accused Pawan Kumar Pandit obtained a loan from the informant company, Sriram Transport Finance Company, to the tune of Rs. 9,24,648/- on the basis of forged sale deed.



4. Learned Counsel for the petitioner submits that from perusal of the First Information Report lodged by the Regional Collection Head of the Company, it has been alleged that the loan was obtained by the borrower with the help of the staff of the Company, namely, Subhash Singh. In the entire First Information Report, there is no allegation against the petitioner alleging his involvement in the grant of loan in favour of the borrower Pankaj Kumar Pandit. However, after five years of the First Information Report, the police, suddenly, filed an application before the learned Magistrate on 08.09.2023 for issuance of warrant of arrest against the petitioner and warrant of arrest has been given to the police by the learned Magistrate without application of mind. He submits that in the entire case diary, no material has come against the petitioner showing his complicity in the offence alleged.
5. Learned Additional Public Prosecutor submits that in the entire case diary, no material is there reflecting against the petitioner. However, a petition for obtaining warrant of arrest was filed by the police.
6. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the allegation made in the First Information Report and the fact that there is no allegation against the petitioner, who was the branch manager of the Company at the relevant point of time, co-accused Pankaj Kumar Pandit has been granted regular bail and co-accused Subhash Singh has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Town Police Station Case No. 714 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

